

Health and Human Services Appropriations Bill LSB5002JB

Last Action:
Joint Subcommittee
April 3, 2008

An Act relating to and making appropriations for health and human services and including other related provisions and appropriations, and including effective date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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EXECUTIVE SUMMARY NOBA

LSB5002JB HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

FUNDING SUMMARY

- Appropriates a total of \$1,207.6 million from the General Fund and 7,108.6 FTE positions to the Departments of Elder Affairs, Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is an increase of \$31.1 million and 136.5 FTE positions compared to the estimated FY 2008 appropriations. This Bill also provides FY 2008 General Fund supplemental appropriations of \$15.7 million from the IowaCare Account.
- Appropriates a total of \$474.7 million from other funds. This is an increase of \$10.1 million compared to the estimated FY 2008 appropriations. This includes:
 - \$7.1 million from the Gambling Treatment Fund (GTF) to the Department of Public Health. This is a net decrease of \$375,000 compared to estimated FY 2008 for a decreased amount in the carryforward funds compared to that of previous years. The allocations in the Fund have been changed compared to FY 2008. (Page 7, Line 2 through Page 7, Line 32)
 - \$141.9 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is a decrease of \$1.7 million compared to estimated FY 2008. Makes a \$6.5 million TANF FY 2008 supplemental appropriation for child care. (Page 9, Line 19 through Page 13, Line 17 and Page 78, Line 33 through Page 79, Line 28)
 - \$77.8 million from the Senior Living Trust Fund (SLTF) and no change in FTE positions to the Departments of Elder Affairs, Human Services, and Inspections and Appeals, and the Iowa Finance Authority. This is an increase of \$2.5 million and no change in FTE positions compared to estimated FY 2008. (Page 54, Line 13 through Page 56, Line 17)
 - \$624,000 from the Property Tax Relief Fund to the Medicaid Program. This is a new appropriation for FY 2009 for one-time money. (Page 61, Line 12)
 - \$943,000 from the Pharmaceutical Settlement Account to Medical Contracts. This is a decrease of \$381,000 compared to estimated FY 2008. (Page 56, Line 18)
 - \$112.3 million from the IowaCare Account to the Department of Human Services (DHS), the University of Iowa Hospitals and Clinics, and Polk County Broadlawns Medical Center. This is a decrease of \$6.6 million compared to estimated FY 2008. (Page 56, Line 27 through Page 59, Line 28)
There is also an FY 2008 supplemental appropriation of \$15.7 million from the IowaCare Account for the University of Iowa Hospitals and Clinics. (Page 86, Line 23, through Page 89, Line 32)
 - \$5.2 million from the Health Care Transformation Account (HCTA) to the DHS. This is an increase of \$916,000 compared to estimated FY 2008. (Page 59, Line 29 through Page 61, Line 11)
 - \$128.6 million from the Health Care Trust Fund to various Departments. This is an increase of \$1.0 million compared to estimated FY 2008. (Page 69, Line 9 through Page 74, Line 27)

EXECUTIVE SUMMARY NOBA

LSB5002JB HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

Makes the following General Fund or other fund changes for FY 2008:

- **Department of Elder Affairs:** A decrease of \$15,000 from the General Fund and an increase of 3.0 FTE positions compared to estimated FY 2008. (Page 1, Line 10)
- **Department of Public Health:** A net decrease of \$273,000 from the General Fund and an increase of 16.8 FTE positions compared to estimated FY 2008. The changes include:
 - A decrease of \$470,000 for Addictive Disorders. (Page 2, Line 29)
 - An increase of \$400,000 for Chronic Conditions. (Page 4, Line 1)
- **Department of Human Services:** An increase of \$43.1 million from the General Fund and an increase of 108.6 FTE positions compared to estimated FY 2008. The changes include:
 - An increase of \$4.5 million for the Child Support Recovery Unit. (Page 18, Line 26)
 - A net increase of \$30.0 million for the Medical Assistance Program compared to FY 2008. (Page 19, Line 21)
 - A net increase of \$288,000 for the State Children's Health Insurance Program. (Page 26, Line 20)
 - An increase of \$1.4 million for the Child Care Assistance Program. Provides FY 2009 transfers for the Program of \$8.5 million. (Page 27, Line 26; Page 79, Line 29 through Page 81, Line 9)
 - A net increase of \$26,000 for Child and Family Services. (Page 30, Line 6)
 - An increase of \$596,000 for the Adoption Subsidy Program. (Page 36, Line 16)
 - A net decrease of \$3.7 million for the two State Resource Centers. (Page 39, Line 8 through Page 39, Line 19)
 - An increase of \$2.0 million for the State Cases Program. (Page 40, Line 19)
 - A decrease of \$32,000 for the Sexual Predator Commitment Program. (Page 43, Line 11)
 - A net increase of \$298,000 for Field Operations and General Administration. (Page 43, Line 34 and Page 44, Line 11)
 - An increase of \$750,000 for Family Planning Services. This is a new appropriation for FY 2009. (Page 45, Line 6)
 - A net increase of \$5.2 million for Mental Health Allowed Growth, including a decrease of \$2.9 million to the appropriation for the Brain Injury Waiver funding in Medicaid. (Page 62, Line 4 through Page 66, Line 19)

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LSB5002JB HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

STUDIES AND INTENT LANGUAGE

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- ***Veterans Affairs:*** A decrease of \$4.4 million from the General Fund for the Department of Veterans Affairs compared to estimated FY 2008. This includes:
 - An increase of \$300,000 and 3.2 FTE positions for the Department of Veterans Affairs. (Page 8, Line 5)
 - A decrease of \$4.0 million for the Iowa Veterans Home. (Page 8, Line 15)
 - A decrease of \$150,000 for the County Veterans Grant Program. (Page 8, Line 29)
- ***Department of Public Health:***
 - Permits the DPH to incur start-up costs for licensing of plumbers and mechanical professionals. (Page 6, Line 19)
- ***Department of Veterans Affairs:***
 - Requires the Iowa Veterans Home to submit billings to the DHS on a monthly basis. (Page 8, Line 21)
- ***Department of Human Services:***
 - Requires the DHS and providers to reduce the number of guaranteed shelter beds and develop emergency services for children. (Page 31, Line 33)
 - Requires the Department of Human Services to work with Indian tribes to provide services under TANF. (Page 10, Line 22)
 - Requires the Department of Human Rights to comply with federal Temporary Assistance for Needy Families (TANF) requirements for the Family Development and Self-Sufficiency Grant Program. (Page 14, Line 8 through Page 15, Line 11)
 - Requests the Legislative Council to create an interim study committee for mental health funding. (Page 66, Line 33)
 - Requires the DHS to appoint an advisory committee to propose updating Code of Iowa language for the community mental health centers. (Page 68, Line 3)
- Strikes the requirement for DHS to adjust the pharmacy dispensing fee to compensate for any harm done by the Federal Deficit Reduction Act of 2005. (Page 83, Line 29)
- Requires the Department of Administrative Services and the DHS to develop a policy to permit certain board or commission members to receive prepaid expenses. (Page 96, Line 21)
- Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. (Page 75, Line 30)
- Limits the implementation of the Brain Injury Cost Share Program to available funding. (Page 90, Line 11)

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SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

- Creates an Early Childhood Iowa Advisory Council. (Page 91, Line 31 through Page 95, Line 33)
- Requires certain third party health care providers to pay for certain mental health services at psychiatric medical institutions for children (PMICs). (Page 95, Line 34)
- Requires the DHS, the Department of Management, and the Legislative Services Agency to develop quarterly projections for Child Care Subsidy Program expenditures. (Page 96, Line 34)
- Adds requirements to the contract for the Medicaid behavioral health services. (Page 97, Line 7)
- Creates an Iowa Autism Council in the Department of Education. (Page 100, Line 23)
- Requires participating insurers in the hawk-i Program to provide qualified health plans to children and prohibits a certain condition of participation for the plan. (Page 103, Line 3)
- Transfers the responsibility for administration of Individual Development Accounts from the DHS to the Division of Community Action Agencies of the Department of Human Rights. Makes modifications to the criteria of the Accounts. (Page 103, Line 19 through Page 108, Line 31)
- Supplements the FY 2008 Juvenile Detention Fund with a \$1.0 million transfer from the Healthy Iowans Tobacco Trust and a \$1.0 million FY 2008 transfer from the Department of Human Services (DHS) General Administration appropriation. (Page 76, Line 4 and Page 83, Line 19)
- Moves non-Juvenile Detention Center allocations to the General Fund under Child Welfare for FY 2009 (Page 30, Line 6)
- Changes the payments for accountability measures for nursing facilities in the event of citations or deficiencies. (Page 51, Line 4)
- Deletes adjustments to the pharmacy dispensing fee based on the federal Deficit Reduction Act of 2005. (Page 83, Line 29)
- **Department of Public Health:** \$137,000 from the General Fund is carried forward to FY 2009 and \$1.5 million from the HCTF is carried forward to FY 2009. (Page 4, Line 1; Page 5, Line 31; Page 77, Line 21 through Page 78, Line 9; and Page 85, Line 11, through Page 86, Line 20.)
- **Department of Veterans Affairs:** \$4.6 million is from the General Fund is carried forward to FY 2009. (Page 76, Line 28 through Page 78, Line 21)
- **Department of Human Services:** \$1.0 million of FY 2008 funds is transferred from the Department and \$13.9 million is carried forward to FY 2009. (Page 80, Line 22; Page 81, Line 12; Page 83, Line 8; Page 83, Line 19 and Page 83, Line 22)
- Reduces the FY 2008 TANF FIP appropriation by \$6.5 million and increases the TANF Child Care Assistance appropriation by \$6.5 million. (Page 78, Line 33)
- Transfers the FY 2008 funds remaining from the various FY 2008 Brain Injury Program funds to the Medical Assistance Program for FY 2009. (Page 84, Line 16)

FY 2008 CARRYFORWARD OR SUPPLEMENTALS

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LSB5002JB HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

FY 2008 CARRYFORWARD OR SUPPLEMENTALS (CONTINUED)

- Appropriates \$230,000 from the Health Care Transformation Account for FY 2008 for Broadlawns Medical Center in Polk County for administrative costs relating to the IowaCare Program. Codifies the payment. (Page 84, Line 34 and Page 99, Line 24)
- Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa and increases the FY 2008 Medicaid appropriation by the same amount for purposes of the IowaCare Program. Modifies the Disproportionate Share Program for purposes of the IowaCare Program. Increases the IowaCare FY 2008 appropriation by \$15.7 million to the University of Iowa Hospitals and Clinics. (Page 86, Line 24 through Page 89, Line 32)

EFFECTIVE DATES

- The following changes take effect on enactment (Page 75, Line 28 through Page 86, Line 22):
 - Requirement that the DHS and juvenile court services develop an FY 2009 funding distribution plan by June 15, 2008.
 - Removal of the \$500,000 annual carryforward limit for the Iowa Veterans Home.
 - Transfer of \$1.0 million from the Healthy Iowans Tobacco Trust to the Juvenile Detention Fund.
 - Carryforward of FY 2007 child welfare decategorization funding to supplement FY 2009 child welfare funds.
 - Carryforward of FY 2008 Vietnam Veterans Bonus funding to FY 2009 for the same purpose.
 - Carryforward of FY 2007 Injured Veterans Grant Program funding to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for phenylketonuria (PKU) to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for the antiviral stockpile expenditures to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for the Department of Veterans Affairs to FY 2009 for various expenditures.
 - Carryforward of FY 2008 funding for the Veteran County Grant Program to FY 2009 for the same purpose.
 - Change of \$6.5 million of FY 2008 TANF funds from the FIP to the Child Care Assistance Program.
 - Transfer of FY 2008 hawk-i Trust Fund money to the Child Care Assistance Program for FY 2009.
 - Carryforward of certain FY 2008 child welfare funds to FY 2009 for the Child Care Assistance Program.
 - Changes to the distribution of FY 2008 funds from the Juvenile Detention Fund.
 - Carryforward of FY 2008 funds for DHS Field Operations and General Administration.
 - Elimination of a reference to changes of the federal Deficit Reduction Act for the pharmacy dispensing fee.

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HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

EFFECTIVE DATES (CONTINUED)

- Transfer of the remaining FY 2008 Brain Injury Program funding to the FY 2009 Medical Assistance Program.
- Appropriation of the FY 2008 Health Care Transformation Account funds to Polk County Broadlawns Medical Center for administrative costs.
- Carryforward of DPH FY 2008 Health Care Trust Fund appropriations to FY 2009 for the same purposes.
- Carryforward of DHS FY 2008 Health Care Trust Fund hawk-i appropriation to FY 2009 for the same purpose.
- Funding administrative costs for Polk County Broadlawns Medical Center from the IowaCare Program.
- The following changes take effect on a specified date:
 - Eliminating the FY 2008 appropriation to the University of Iowa Psychiatric Hospital and increasing the FY 2008 Medical Assistance Program by the same amount. Division VI includes additional language for the transition of these funds to the IowaCare Program and related appropriations. The changes are retroactive to December 21, 2007. (Page 89, Line 20)
 - Changes to the DHS contract for behavioral health services regarding contract funding and appeals of claims. The change takes effect May 1, 2008. (Page 103, Line 10)

LSB5002S provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
9	8	4.3	Nwthstnd	Sec. 8.33	Nonreversion of FY 2009 Veterans County Grant Program Funds
10	6	5.2	Nwthstnd	Sec. 8.33	Nonreversion of Contract Services Funds
17	34	7.4	Nwthstnd	Sec. 8.39	DHS Authority to Transfer TANF Funds
29	13	14.9	Nwthstnd	Sec. 8.33	Carryforward of FY 2009 Child Care Appropriation
31	33	16.7	Nwthstnd	Sec. All	Shelter Care Bed Funding
32	12	16.8	Nwthstnd	Sec. 8.33	Carryforward of Federal and State Child Welfare Funds in FY 2010
33	7	16.10(c)	Nwthstnd	Sec. All	Juvenile Court District Child Welfare Funds Allocation
33	16	16.10(d)	Nwthstnd	Sec. All	Juvenile Court Funding Limitations
33	32	16.10(e)	Nwthstnd	Sec. All	County Juvenile Funding Limitations
36	28	17.3	Nwthstnd	Sec. 8.33	Carryforward of Adoption Subsidy Funding
37	4	18	Nwthstnd	Sec. 232.142(3)	Juvenile Detention Center Funding
41	6	23.3	Nwthstnd	Sec. 8.33	State Cases Program Carryforward
47	30	30.1(j)	Nwthstnd	249A.20	Provider Rates
50	12	30.9(b)	Nwthstnd	Sec. 232.141(8)	Reimbursement Rates
51	4	31	Amends	Sec. 4.4, Chapter 192, 2001 Iowa Acts	Direct Care Worker Compensation Reporting
57	30	40.1(b)	Nwthstnd	Sec. All	IowaCare Appropriation
58	33	40.3	Nwthstnd	Sec. All	IowaCare Appropriation
60	33	41.9	Nwthstnd	Sec. 8.39(1)	Health Care Transformation Account Transfer
61	27	44	Nwthstnd	Sec. 8.33	Nonreversion of Medicaid Supplemental Appropriation
62	13	45	Amends	Sec. 1.1, Chapter 215, 2007 Iowa Acts	Mental Health Funding
62	28	45	Amends	Sec. 1.2, Chapter 215, 2007 Iowa Acts	Mental Health Funding

Page #	Line #	Bill Section	Action	Code Section	Description
63	4	46	Amends	Sec. 1.3, Chapter 215, 2007 Iowa Acts	Mental Health Funding
64	4	46	Amends	Sec. 1.4, Chapter 215, 2007 Iowa Acts	Mental Health Funding
64	10	46	Amends	Sec. 1.5, 1.6, and 1.7 Chapter 215, 2007 Iowa Acts	Mental Health Funding
66	20	47	Amends	Sec. 331.439(1)(a), Code Supplement 2007	Submission of Mental Health Expenditure Data
75	30	54	Amends	Sec. 35D.18(5)	Veterans Home Carryforward
76	14	56	Amends	Sec. 17.4, Chapter 1184, 2006 Iowa Acts	Carryforward of Decategorization Funds
76	29	57	Amends	Sec. 3, Chapter 176, 2007 Iowa Acts	Vietnam Veteran Bonus Carryforward
77	3	58	Amends	Sec. 1.4, Chapter 203, 2007 Iowa Acts	Injured Veterans Grant Program Carryforward
77	14	59	Amends	Sec. 32, Chapter 215, 2007 Iowa Acts	Carryforward of DEA Community Initiative Funds
77	22	60	Amends	Sec. 2.3(2), Chapter 218, 2007 Iowa Acts	Phenylketonuria Carryforward
77	35	61	Amends	Sec. 2.8(d), Chapter 218, 2007 Iowa Acts	Antiviral Stockpile Funds Carryforward
78	11	62	Amends	Sec. 4.1, Chapter 218, 2007 Iowa Acts	Department of Veterans Affairs Carryforward
78	23	64	Amends	Sec. 4.4(3), Chapter 218, 2007 Iowa Acts	County Veteran Grant Program Carryforward
78	35	63	Amends	Sec. 7(1), Chapter 218, 2007 Iowa Acts	FY 2008 TANF Appropriation
79	7	64	Amends	Sec. 7(7), Chapter 218, 2007 Iowa Acts	FY 2008 TANF Appropriation
79	30	65	Amends	Sec. 15(4), Chapter 218, 2007 Iowa Acts	State Children's Health Insurance Carryforward
80	7	66	Amends	Sec. 18.3, Chapter 218, 2007 Iowa Acts	Child Care Funding Technical Change

Page #	Line #	Bill Section	Action	Code Section	Description
80	22	67	Amends	Sec. 18.5, Chapter 218, 2007 Iowa Acts	Child Welfare Funding FY 2008 Carryforward for Child Care
81	12	68	Amends	Sec. 18, Chapter 218, 2007 Iowa Acts	Child Welfare FY 2008 Carryforward
81	24	69	Amends	Sec. 20, Chapter 218, 2007 Iowa Acts	FY 2008 Juvenile Detention Fund Allocation Changes
83	8	70	Amends	Sec. 28, Chapter 218, 2007 Iowa Acts	DHS Field Operations FY 2008 Carryforward
83	19	71	Amends	Sec. 29(4), Chapter 218, 2007 Iowa Acts	DHS General Administration FY 2008 Carryforward
83	22	71	Amends	Sec. 29(5), Chapter 218, 2007 Iowa Acts	DHS FY 2008 General Administration Carryforward
83	29	72	Amends	Sec. 31(1)(b), Chapter 218, 2007 Iowa Acts	Pharmacy Dispensing Fee
84	17	73	Amends	Sec. 83.2(c), Chapter 218, 2007 Iowa Acts	Brain Injury Program FY 2008 Carryforward
84	35	74	Amends	Sec. 74(8), Chapter 218, 2007 Iowa Acts	IowaCare Administrative Costs
85	13	75	Amends	Sec. 97, Chapter 218, 2007 Iowa Acts	FY 2008 Cultural Competency Substance Abuse Carryforward
85	24	76	Amends	Sec. 97.2, Chapter 218, 2007 Iowa Acts	FY 2008 Tissue Bank Carryforward
86	12	78	Amends	Sec. 98(2)(d), Chapter 218, 2007 Iowa Acts	State Children's Health Insurance Program Carryforward
86	26	80	Amends	Sec. 9(2)(b), Chapter 214, 2007 Iowa Acts	Psychiatric Hospital Appropriation
87	2	81	Amends	Sec. 15(1), Chapter 215, 2007 Iowa Acts	Psychiatric Hospital Salary Money
87	14	82	Amends	Sec. 15(16), Chapter 215, 2007 Iowa Acts	Psychiatric Hospital Appropriation
87	20	83	Amends	Sec. 11(2), Chapter 218, 2007 Iowa Acts	Medicaid Appropriation
87	31	84	Amends	Sec. 11(17), Chapter 218, 2007 Iowa Acts	Medicaid Allocation

Page #	Line #	Bill Section	Action	Code Section	Description
88	25	85	Amends	Sec. 73(2), Chapter 218, 2007 Iowa Acts	IowaCare Appropriation
89	35	87	Amends	Sec. 28.9(5)	First Years First Account
90	11	88	Amends	Sec. 135.22B(3-4), Code Supplement 2007	Brain Injury Cost Share Services Program
91	7	89	Amends	Sec. 135.22B(5), Code Supplement 2007	Brain Injury Cost Share Services Program
91	18	90	Amends	Sec. 135.22B(8)(a), Code Supplement 2007	Brain Injury Cost Share Services Program
91	31	91	Adds	Sec. 135.155	Early Childhood Iowa Advisory Council
95	15	92	Adds	Sec. 135.156	Lead Agency for Early Childhood Iowa Council
95	34	93	Amends	Sec. 135H.3	Nature of Care
96	21	94	Amends	Sec. 217.19	Human Services Board and Commission Expenses
96	34	95	Adds	Sec. 237A.13(8A), Code Supplement 2007	Child Care Subsidy Program Projections
97	7	96	Adds	Sec. 249A.36	Behavioral Health Services
99	24	97	Amends	Sec. 249J.23(3)	IowaCare Administrative Costs
100	23	98	Adds	Sec. 256.35A	Iowa Autism Council
103	3	99	Adds	Sec.514I.6(7)	Child Health Plans Required
103	21	101	Amends	Sec. 422.7(28)(b), Code Supplement 2007	Exempts State Match from Income Tax
103	25	102	Amends	Sec. 541A.1(2)	Individual Development Account Administration Change
103	29	103	Adds	Sec. 541A.1(5A)	Individual Development Account Definition
103	35	104	Adds	Sec. 541A.4(a)(7-10)	Individual Development Account Expenditures
104	13	105	Amends	Sec. 541A.2(10)	Individual Development Account Balance Limit
104	18	106	Amends	Sec. 541A.3	State Match for Individual Development Accounts
106	20	107	Amends	Sec. 541A.5	Rules for Individual Development Accounts
107	10	108	Amends	Sec. 541A.6	Individual Development Account Federal Requirements
107	30	109	Adds	Sec. 541A.7(1 & 2)	Individual Development Account State Match

1 1 DIVISION I
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS

1 3 ELDER AFFAIRS

1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 5 appropriated from the general fund of the state to the
1 6 department of elder affairs for the fiscal year beginning July
1 7 1, 2008, and ending June 30, 2009, the following amount, or so
1 8 much thereof as is necessary, to be used for the purposes
1 9 designated:

1 10 For aging programs for the department of elder affairs and
1 11 area agencies on aging to provide citizens of Iowa who are 60
1 12 years of age and older with case management for the frail
1 13 elderly only if the monthly cost per client for case
1 14 management for the frail elderly services provided does not
1 15 exceed an average of \$70, resident advocate committee
1 16 coordination, employment, and other services which may include
1 17 but are not limited to adult day services, respite care, chore
1 18 services, telephone reassurance, information and assistance,
1 19 and home repair services, and for the construction of entrance
1 20 ramps which make residences accessible to the physically
1 21 handicapped, and for salaries, support, administration,
1 22 maintenance, and miscellaneous purposes, and for not more than
1 23 the following full-time equivalent positions:
1 24 \$ 4,851,698
1 25 FTEs 40.50

1 26 1. Funds appropriated in this section may be used to
1 27 supplement federal funds under federal regulations. To
1 28 receive funds appropriated in this section, a local area
1 29 agency on aging shall match the funds with moneys from other
1 30 sources according to rules adopted by the department. Funds
1 31 appropriated in this section may be used for elderly services

General Fund appropriation to the Department of Elder Affairs for FY 2009.

DETAIL: This is a decrease of \$15,000 and an increase of 3.00 FTE positions compared to the estimated FY 2008 appropriation. The decrease is to eliminate one-time funding for the Alzheimer's Task Force and the increase in FTE positions reflects inclusion of the positions related to the Senior Living Trust Fund.

Permits the use of funds appropriated in this Subsection to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

1 32 not specifically enumerated in this section only if approved
 1 33 by an area agency on aging for provision of the service within
 1 34 the area.

1 35 2. Of the funds appropriated in this section, \$2,788,223
 2 1 shall be used for case management for the frail elderly. Of
 2 2 the funds allocated in this subsection, \$1,385,015 shall be
 2 3 transferred to the department of human services in equal
 2 4 amounts on a quarterly basis for reimbursement of case
 2 5 management services provided under the medical assistance
 2 6 elderly waiver. The department of human services shall adopt
 2 7 rules for case management services provided under the medical
 2 8 assistance elderly waiver in consultation with the department
 2 9 of elder affairs. The monthly cost per client for case
 2 10 management for the frail elderly services provided shall not
 2 11 exceed an average of \$70.

Requires an allocation of \$2,788,223 for the Case Management Program for the Frail Elderly, and requires \$1,385,015 of the allocation to be transferred to the Department of Human Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver. In addition, the DHS is required to adopt rules for Case Management services in consultation with the Department of Elder Affairs. Limits the monthly cost per client to \$70.

DETAIL: Maintains current allocation and transfer levels.

2 12 3. Of the funds appropriated in this section, \$200,198
 2 13 shall be transferred to the department of economic development
 2 14 for the Iowa commission on volunteer services to be used for
 2 15 the retired and senior volunteer program.

Requires a transfer of \$200,198 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: Maintains current allocation level.

2 16 4. Of the funds appropriated in this section, \$130,000
 2 17 shall be used to continue to fund additional long-term care
 2 18 resident's advocate positions.

Requires an allocation of \$130,000 to fund two additional Long-Term Care Ombudsmen.

DETAIL: Maintains current allocation level. The total number of long-term care ombudsmen funded by the Department will continue to be nine.

2 19 5. Of the funds appropriated in this section, \$250,000
 2 20 shall be used for continuation of the substitute decision
 2 21 maker Act pursuant to chapter 231E.

Requires an allocation of \$250,000 to implement a State Office of Substitute Decision Maker and two local offices.

DETAIL: Maintains the current allocation level.

2 22 HEALTH

2 23 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
 2 24 appropriated from the general fund of the state to the
 2 25 department of public health for the fiscal year beginning July
 2 26 1, 2008, and ending June 30, 2009, the following amounts, or
 2 27 so much thereof as is necessary, to be used for the purposes
 2 28 designated:

2 29 1. ADDICTIVE DISORDERS

2 30 For reducing the prevalence of use of tobacco, alcohol, and
 2 31 other drugs, and treating individuals affected by addictive
 2 32 behaviors, including gambling, and for not more than the
 2 33 following full-time equivalent positions:
 2 34 \$ 1,532,149
 2 35 FTEs 6.00

General Fund appropriation to the Addictive Disorders Program.

DETAIL: This is a decrease of \$470,000 and an increase of 1.65 FTE positions compared to the estimated FY 2008 appropriation. An additional \$2,955,164 is provided to the Addictive Disorders Program from the Health Care Trust Fund (HCTF) in Division IV. An additional \$4,678,000 is provided from the Gambling Treatment Fund in Division I. The General Fund change reflects a decrease in funds expended for tobacco advertising. The increase in FTE positions is to reflect actual utilization.

3 1 The requirement of section 123.53, subsection 3, is met by
 3 2 the appropriations made in this Act for purposes of addictive
 3 3 disorders for the fiscal year beginning July 1, 2008.

Specifies that the standing appropriation requirement for substance abuse treatment under Section 123.53(3), Code of Iowa, is met by appropriations made for Addictive Disorders in this Bill for FY 2009.

3 4 2. HEALTHY CHILDREN AND FAMILIES

3 5 For promoting the optimum health status for children,
 3 6 adolescents from birth through 21 years of age, and families,
 3 7 and for not more than the following full-time equivalent
 3 8 positions:
 3 9 \$ 2,536,913
 3 10 FTEs 16.00

General Fund appropriation to the Healthy Children and Families Program.

DETAIL: Maintains current level of funding and an increase of 3.05 FTE positions compared to the estimated FY 2008 appropriation. An additional \$667,700 is provided to the Healthy Children and Families Program from the HCTF in Division IV. The increase in FTE positions is to reflect actual utilization.

3 11 a. Of the funds appropriated in this subsection, not more
 3 12 than \$645,917 shall be used for the healthy opportunities to

Limits the General Fund amount used to fund the Healthy Opportunities for Parents to Experience Success (HOPES) Program to \$645,917. Requires the Department to transfer this funding to the

3 13 experience success (HOPES)=healthy families Iowa (HFI) program
 3 14 established pursuant to section 135.106. The department shall
 3 15 transfer the funding allocated for the HOPES=HFI program to
 3 16 the Iowa empowerment board for distribution and shall assist
 3 17 the board in managing the contracting for the funding. The
 3 18 funding shall be distributed to renew the grants that were
 3 19 provided to the grantees that operated the program during the
 3 20 fiscal year ending June 30, 2008.

Iowa Empowerment Board for distribution and management. The funds are required to be distributed to the grantees that received funding in FY 2008.

DETAIL: Maintains current allocation level.

3 21 b. Of the funds appropriated in this subsection, \$325,000
 3 22 shall be used to continue to address the healthy mental
 3 23 development of children from birth through five years of age
 3 24 through local evidence-based strategies that engage both the
 3 25 public and private sectors in promoting healthy development,
 3 26 prevention, and treatment for children.

Allocates \$325,000 for the Assuring Better Child Health and Development (ABCD II) Program.

DETAIL: Maintains current allocation level from the General Fund. An additional \$200,000 is allocated from the appropriation to the Healthy Children and Families Program from the HCTF in Division IV.

3 27 c. Of the funds appropriated in this subsection, \$100,000
 3 28 is allocated for distribution to the children's hospital of
 3 29 Iowa mother's milk bank.

Allocates \$100,000 for an Iowa mother's milk bank.

DETAIL: Maintains current allocation level.

3 30 d. Of the funds appropriated in this subsection, \$40,000
 3 31 shall be distributed to a statewide dental carrier to provide
 3 32 funds to continue the donated dental services program
 3 33 patterned after the projects developed by the national
 3 34 foundation of dentistry for the handicapped to provide dental
 3 35 services to indigent elderly and disabled individuals.

Allocates \$40,000 for dental services for indigent elderly and disabled individuals.

DETAIL: Maintains current allocation level.

4 1 3. CHRONIC CONDITIONS
 4 2 For serving individuals identified as having chronic
 4 3 conditions or special health care needs, and for not more than
 4 4 the following full-time equivalent positions:
 4 5 \$ 2,242,840
 4 6 FTEs 5.00

General Fund appropriation to the Chronic Conditions Program.

DETAIL: This is an increase of \$400,000 and 0.70 FTE position compared to the estimated FY 2008 appropriation. An additional \$1,164,181 is provided to the Chronic Conditions Program from the HCTF in Division IV. The change includes:

- An increase of \$500,000 for transfer of Brain Injury funds from the

		<p>mental health allowed growth funding for two existing contracts to continue in FY 2009.</p> <ul style="list-style-type: none"> • A decrease of \$100,000 to reflect carryforward of funds for phenylketonuria (PKU) assistance that will be available in FY 2009. • An increase of 0.70 FTE position to reflect actual utilization.
4 7	a. Of the funds appropriated in this subsection, \$100,000	Allocates \$100,000 for Phenylketonuria (PKU) assistance.
4 8	shall be used for grants to individual patients who have	
4 9	phenylketonuria (PKU) to assist with the costs of necessary	DETAIL: This allocation includes the FY 2008 carryforward funds for
4 10	special foods.	PKU from the General Fund. There is also \$100,000 proposed for FY 2009 from the Healthy Iowans Tobacco Trust Fund.
4 11	b. Of the funds appropriated in this subsection, \$500,000	Allocates \$500,000 for continuation of the two contracts from FY 2008
4 12	is allocated for contracts for resource facilitator services	in the DPH's Brain Injury Services Program.
4 13	in accordance with section 135.22B, subsection 10, and for	
4 14	brain injury training services and recruiting of service	
4 15	providers to increase the capacity within this state to	
4 16	address the needs of individuals with brain injuries and such	
4 17	individuals' families.	
4 18	4. COMMUNITY CAPACITY	General Fund appropriation to the Community Capacity Program.
4 19	For strengthening the health care delivery system at the	
4 20	local level, and for not more than the following full-time	DETAIL: Maintains current level of funding and provides an increase
4 21	equivalent positions:	of 1.25 FTE positions. An additional \$2,790,000 is allocated from the
4 22	..... \$ 1,760,532	appropriation to the Community Capacity Program from the HCTF in
4 23	..... FTEs 12.00	Division IV. The additional FTE positions are to reflect actual
		utilization.
4 24	a. Of the funds appropriated in this subsection, \$100,000	Requires an allocation of \$100,000 for a child vision screening
4 25	is allocated for a child vision screening program implemented	program through the University of Iowa Hospitals and Clinics in
4 26	through the university of Iowa hospitals and clinics in	collaboration with Community Empowerment areas.
4 27	collaboration with community empowerment areas.	DETAIL: Maintains current allocation level.

4 28 b. Of the funds appropriated in this subsection, \$159,700
 4 29 is allocated for an initiative implemented at the university
 4 30 of Iowa and \$140,300 is allocated for an initiative at the
 4 31 state mental health institute at Cherokee to expand and
 4 32 improve the workforce engaged in mental health treatment and
 4 33 services. The initiatives shall receive input from the
 4 34 university of Iowa, the department of human services, the
 4 35 department of public health, and the mental health, mental
 5 1 retardation, developmental disabilities, and brain injury
 5 2 commission to address the focus of the initiatives. The
 5 3 department of human services, the department of public health,
 5 4 and the commission shall receive regular updates concerning
 5 5 the status of the initiatives.

Requires an allocation of \$159,700 for a University of Iowa initiative to expand and improve the mental health treatment and services workforce. Requires an allocation of \$140,300 for the same type of initiative at the Mental Health Institute at Cherokee. Specifies the entities required to contribute input for the initiative and that these entities are to receive regular updates on the initiative.

DETAIL: Maintains current allocation levels.

5 6 5. ELDERLY WELLNESS
 5 7 For promotion of healthy aging and optimization of the
 5 8 health of older adults:
 5 9 \$ 9,233,985

General Fund appropriation to the Elderly Wellness Program.

DETAIL: Maintains current level of General Fund support.

5 10 6. ENVIRONMENTAL HAZARDS
 5 11 For reducing the public's exposure to hazards in the
 5 12 environment, primarily chemical hazards, and for not more than
 5 13 the following full-time equivalent positions:
 5 14 \$ 747,960
 5 15 FTEs 2.00

General Fund appropriation to the Environmental Hazards Program.

DETAIL: Maintains the current level of funding and provides an increase of 0.25 FTE position compared to the estimated FY 2008 appropriation. The FTE change is to reflect actual utilization.

5 16 a. Of the funds appropriated in this subsection, \$100,000
 5 17 shall be used to fund the position of a bureau chief for the
 5 18 center for acute disease epidemiology (CADE).

Requires an allocation of \$100,000 for the Bureau Chief position for the Center for Acute Disease Epidemiology (CADE).

DETAIL: Maintains current allocation level.

5 19 b. Of the funds appropriated in this subsection, \$121,000
 5 20 shall be used for childhood lead poisoning provisions pursuant
 5 21 to sections 135.102 and 135.103.

Requires an allocation of \$121,000 for child blood lead testing.

DETAIL: Maintains current allocation level.

5 22	7. INFECTIOUS DISEASES	General Fund appropriation to the Infectious Diseases Program.
5 23	For reducing the incidence and prevalence of communicable	
5 24	diseases, and for not more than the following full-time	DETAIL: This is an increase of \$43,688 and 1.25 FTE positions
5 25	equivalent positions:	compared to the estimated FY 2008 appropriation. The change
5 26	..... \$ 1,701,974	includes:
5 27	..... FTEs 7.00	<ul style="list-style-type: none"> • An increase of \$43,688 for additional vaccine funding. • An increase of 1.25 FTE positions to reflect actual utilization.
5 28	Of the funds appropriated in this subsection, an increase	
5 29	of \$43,688 is provided for the purchasing of vaccines for	Requires \$43,688 of the funds appropriated to be used for the
5 30	immunizations.	purchase of immunization vaccines in addition to the FY 2008 funding
5 31	8. PUBLIC PROTECTION	General Fund appropriation to the Public Protection Program.
5 32	For protecting the health and safety of the public through	
5 33	establishing standards and enforcing regulations, and for not	DETAIL: This is a decrease of \$47,145 and an increase of 2.10 FTE
5 34	more than the following full-time equivalent positions:	positions compared to the estimated FY 2008 appropriation. The
5 35	..... \$ 2,798,513	change includes:
6 1	..... FTEs 128.00	<ul style="list-style-type: none"> • A decrease of \$10,000 to reflect one-time funding for the 211 System. • An decrease of \$37,145 to reflect carryover of funds for the antiviral stockpile. • An increase of 2.10 FTE positions to reflect actual utilization.
6 2	a. Of the funds appropriated in this subsection, \$643,500	
6 3	shall be credited to the emergency medical services fund	Requires \$643,500 to be allocated to the Emergency Medical
6 4	created in section 135.25. Moneys in the emergency medical	Services Fund.
6 5	services fund are appropriated to the department to be used	DETAIL: Maintains current allocation level. The funds are used for
6 6	for the purposes of the fund.	training and equipment provided through the Emergency Medical
6 7	b. Of the funds appropriated in this subsection, \$23,810	
6 8	shall be used for the office of the state medical examiner.	Requires an allocation of \$23,810 for additional funding for the State
		Medical Examiner's Office.
		DETAIL: Maintains the current allocation level.

6 9 c. Of the funds appropriated in this subsection, \$150,000
6 10 shall be used for management of the antiviral stockpile.

Requires an allocation of \$150,000 to manage the antiviral stockpile.

DETAIL: Maintains current allocation level.

6 11 d. Of the funds appropriated in this subsection, \$100,000
6 12 shall be used for sexual violence prevention programming
6 13 through a statewide organization representing programs serving
6 14 victims of sexual violence through the department's sexual
6 15 violence prevention program. The amount allocated in this
6 16 paragraph "d" shall not be used to supplant funding
6 17 administered for other sexual violence prevention or victims
6 18 assistance programs.

Requires an allocation of \$100,000 to provide program funding in sexual violence prevention.

DETAIL: This maintains the current allocation level from the General Fund appropriation and reflects a reduction of \$162,522 that was allocated from the remaining funds in the Hospital Trust Fund for FY 2008.

6 19 e. The department may incur expenses for start-up costs to
6 20 implement licensing of plumbers and mechanical professionals
6 21 in accordance with 2007 Iowa Acts, chapter 198, provided the
6 22 amounts expended are covered by the close of the fiscal year
6 23 through the repayment receipts from license fees.

Permits the Department of Public Health to use current budgetary resources to fund expenses related to licensing of plumbers and mechanics. Requires the expenditures to be offset by licensing revenues by the end of FY 2009.

6 24 9. RESOURCE MANAGEMENT

6 25 For establishing and sustaining the overall ability of the
6 26 department to deliver services to the public, and for not more
6 27 than the following full-time equivalent positions:

6 28 \$ 1,205,933
6 29 FTEs 10.00

General Fund appropriation to the Resource Management Program.

DETAIL: Maintains current level of funding and provides an increase of 1.00 FTE position compared to the estimated FY 2008 appropriation for administration of tobacco-related programs. The increase in FTE positions is to reflect actual utilization.

6 30 Of the funds appropriated in this subsection, \$150,150
6 31 shall be used for administration of tobacco-related programs.

Requires an allocation of \$150,150 for the administration of tobacco-related programs.

DETAIL: Maintains current allocation level.

6 32 The university of Iowa hospitals and clinics under the
6 33 control of the state board of regents shall not receive
6 34 indirect costs from the funds appropriated in this section.

Prohibits the University of Iowa Hospitals and Clinics (UIHC) from receiving indirect cost reimbursement from General Fund appropriations to the Department of Public Health. Requires the UIHC

6 35 The university of Iowa hospitals and clinics billings to the
7 1 department shall be on at least a quarterly basis.

to submit billings on a quarterly basis for FY 2009.

7 2 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

Gambling Treatment Fund appropriations to the Department of Public Health for FY 2009.

7 3 1. In lieu of the appropriation made in section 135.150,
7 4 subsection 1, there is appropriated from funds available in
7 5 the gambling treatment fund created in section 135.150 to the
7 6 department of public health for the fiscal year beginning July
7 7 1, 2008, and ending June 30, 2009, the following amount, or so
7 8 much thereof as is necessary, to be used for the purposes
7 9 designated:

7 10 To be utilized for the benefit of persons with addictive
7 11 disorders:

Gambling Treatment Fund appropriation for the Addictive Disorders Program.

7 12 \$ 4,678,000

DETAIL: This is an increase of \$2,463,000 compared to the estimated FY 2008 appropriation due to the availability of carryforward funds from the previous fiscal year and a decrease in the Gambling Treatment Program allocation.

7 13 a. It is the intent of the general assembly that from the
7 14 moneys appropriated in this subsection persons with a dual
7 15 diagnosis of substance abuse and gambling addictions shall be
7 16 given priority in treatment services. The amount appropriated
7 17 in this subsection includes moneys credited to the fund in
7 18 previous fiscal years.

Specifies it is the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Section.

7 19 b. Of the funds appropriated in this subsection, \$613,000
7 20 shall be used for tobacco use prevention, cessation, and
7 21 treatment.

This is a new allocation for FY 2009. The Addictive Disorders Section of the Healthy Care Trust Fund (HCTF) Division and this allocation totals \$3,360,754 for tobacco use prevention. There are additional funds proposed from the Healthy Iowans Tobacco Trust for FY 2009.

7 22 2. The amount remaining in the gambling treatment fund
7 23 after the appropriation made in subsection 1 is appropriated
7 24 to the department to be used for funding of administrative

Gambling Treatment Fund allocation for Gambling Treatment. Requires the remaining balance in the Gambling Treatment Fund, after the appropriation to the Addictive Disorders Program, to be

7 25 costs and to provide programs which may include but are not
 7 26 limited to outpatient and follow-up treatment for persons
 7 27 affected by problem gambling, rehabilitation and residential
 7 28 treatment programs, information and referral services,
 7 29 education and preventive services, and financial management
 7 30 services. Of the amount appropriated in this subsection, up
 7 31 to \$100,000 may be used for the licensing of gambling
 7 32 treatment programs as provided in section 135.150.

appropriated to the Gambling Treatment Program. Permits up to \$100,000 to be used for the licensure of gambling treatment programs.

DETAIL: It is estimated that a total of \$2,417,398 will be available for gambling treatment services in FY 2009. This is a decrease of \$2,837,887 to reflect the increase for the Addictive Disorders initial allocation.

7 33 DEPARTMENT OF VETERANS AFFAIRS

7 34 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
 7 35 appropriated from the general fund of the state to the
 8 1 department of veterans affairs for the fiscal year beginning
 8 2 July 1, 2008, and ending June 30, 2009, the following amounts,
 8 3 or so much thereof as is necessary, to be used for the
 8 4 purposes designated:

8 5 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION
 8 6 For salaries, support, maintenance, and miscellaneous
 8 7 purposes, including the war orphans educational assistance
 8 8 fund created in section 35.8, and for not more than the
 8 9 following full-time equivalent positions:
 8 10 \$ 1,163,457
 8 11 FTEs 17.20

General Fund appropriation to the Department of Veterans Affairs.

DETAIL: This is an increase of \$300,000 and 3.20 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$150,000 to replace the FY 2007 carryforward of the same amount.
- An increase of \$150,000 and 3.20 FTE positions for additional cemetery staff and costs. This is the third year of the three-year phase-in for costs related to the Veterans Cemetery.

8 12 Of the amount appropriated in this subsection, \$50,000 is
 8 13 allocated for continuation of the veterans counseling program
 8 14 established pursuant to section 35.12.

Requires \$50,000 of the Veterans Department appropriation to be expended for a Veterans Counseling Program.

DETAIL: Maintains current level of allocation.

8 15 2. IOWA VETERANS HOME

General Fund appropriation to the Iowa Veterans Home.

8 16 For salaries, support, maintenance, and miscellaneous
 8 17 purposes, and for not more than the following full-time
 8 18 equivalent positions:
 8 19 \$ 12,694,154
 8 20 FTEs 951.95

DETAIL: This is a decrease of \$4,034,102 and no change in FTE positions. This includes:

- A decrease of \$1,034,102 to reflect the additional federal revenue in FY 2009 received from State FY 2008 salary funding.
- A decrease of \$3,000,000 to reflect the historical carryforward from general operating budget that is no longer necessary for the Construction Account.

8 21 The Iowa veterans home billings involving the department of
 8 22 human services shall be submitted to the department on at
 8 23 least a monthly basis.

Requires the Iowa Veterans Home to submit monthly claims relating to Medicaid to the Department of Human Services.

8 24 If there is a change in the employer of employees providing
 8 25 services at the Iowa veterans home under a collective
 8 26 bargaining agreement, such employees and the agreement shall
 8 27 be continued by the successor employer as though there had not
 8 28 been a change in employer.

Requires that the employees and the janitorial agreement contract relating to the employees with a possible new contractor be retained with the new contractor.

8 29 3. COUNTY GRANT PROGRAM FOR VETERANS
 8 30 For providing grants to counties to provide services to
 8 31 living veterans:
 8 32 \$ 600,000

General Fund appropriation to the County Grant Program for Veterans.

DETAIL: This is a decrease of \$150,000 compared to the estimated FY 2008 appropriation. In addition to the appropriation, approximately \$250,000 of funds will carry over from FY 2008 for use in FY 2009. For FY 2009, counties are not required to match the grant with \$10,000 from a county or required to utilize the \$10,000 State funds for "new" services as was required for the FY 2008 grant process.

8 33 The department shall establish or continue a grant
 8 34 application process and shall require each county applying for
 8 35 a grant to submit a plan for utilizing the grant for providing
 9 1 services for living veterans. The maximum grant to be awarded
 9 2 to a county shall be \$10,000. Each county receiving a grant
 9 3 shall submit a report to the department identifying the impact

Requires the Department of Veteran Affairs to continue the grant application process for the County Grant Program. Requires a report by October 1, 2008.

9 4 of the grant on providing services to veterans as specified by
 9 5 the department. The department shall submit a report to the
 9 6 general assembly by October 1, 2008, concerning the impact of
 9 7 the grant program on services to veterans.

9 8 Notwithstanding section 8.33, moneys appropriated in this
 9 9 subsection that remain unencumbered or unobligated at the
 9 10 close of the fiscal year shall not revert to the fund from
 9 11 which appropriated but shall be credited to the veterans trust
 9 12 fund.

CODE: Requires the funds remaining from the FY 2008 appropriation for the Veterans County Grant Program to be credited to the Veterans Trust Fund in lieu of reversion to the State General Fund.

9 13 4. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED
 9 14 VETERANS

General Fund appropriation for the State Educational Assistance for Children of Deceased Veterans Program.

9 15 For provision of educational assistance pursuant to section
 9 16 35.9:
 9 17 \$ 27,000

DETAIL: Maintains current level of funding.

9 18 HUMAN SERVICES

9 19 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
 9 20 GRANT. There is appropriated from the fund created in section
 9 21 8.41 to the department of human services for the fiscal year
 9 22 beginning July 1, 2008, and ending June 30, 2009, from moneys
 9 23 received under the federal temporary assistance for needy
 9 24 families (TANF) block grant pursuant to the federal Personal
 9 25 Responsibility and Work Opportunity Reconciliation Act of
 9 26 1996, Pub. L. No. 104=193, and successor legislation, which
 9 27 are federally appropriated for the federal fiscal years
 9 28 beginning October 1, 2007, and ending September 30, 2008, and
 9 29 beginning October 1, 2008, and ending September 30, 2009, the
 9 30 following amounts, or so much thereof as is necessary, to be
 9 31 used for the purposes designated:

Temporary Assistance for Needy Families (TANF) FY 2009 Block Grant Fund appropriation.

DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. The TANF Program was reauthorized on February 8, 2006, with work participation rates extended to separate State programs and the elimination of high performance bonuses; however, Iowa's grant remains the same at \$131,524,959 per year.

9 32 1. To be credited to the family investment program account

TANF FY 2009 Block Grant appropriation for the Family Investment

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Explanation

9 33 and used for assistance under the family investment program	Program (FIP) Account.
9 34 under chapter 239B:	
9 35 \$ 26,101,513	DETAIL: This is a decrease of \$10,789,431 compared to the estimated FY 2008 appropriation.
10 1 2. To be credited to the family investment program account	TANF FY 2009 Block Grant appropriation for the PROMISE JOBS Program.
10 2 and used for the job opportunities and basic skills (JOBS)	
10 3 program and implementing family investment agreements in	
10 4 accordance with chapter 239B:	DETAIL: This is a decrease of \$1,658,512 compared to the estimated FY 2008 appropriation.
10 5 \$ 13,334,528	
10 6 Notwithstanding section 8.33, not more than 5 percent of	CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.
10 7 the moneys designated in this subsection that are allocated by	
10 8 the department for contracted services, other than family	
10 9 self=sufficiency grant services allocated under this	
10 10 subsection, that remain unencumbered or unobligated at the	
10 11 close of the fiscal year shall not revert but shall remain	
10 12 available for expenditure for the purposes designated until	
10 13 the close of the succeeding fiscal year. However, unless such	
10 14 moneys are encumbered or obligated on or before September 30,	
10 15 2009, the moneys shall revert.	
10 16 3. To be used for the family development and	TANF FY 2009 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.
10 17 self=sufficiency grant program as provided under section	
10 18 217.12 and this division of this Act:	DETAIL: Maintains current level of TANF support.
10 19 \$ 2,998,675	
10 20 4. For field operations:	TANF FY 2009 Block Grant appropriation for Field Operations.
10 21 \$ 17,707,495	DETAIL: Maintains current level of TANF support.
10 22 It is the intent of the general assembly that the	Specifies legislative intent that the Department work with Indian tribes provide services under TANF for Indians who reside outside the reservation. The Department is to establish a formula to provide
10 23 department work with Indian tribes providing services under	

10 24 the federal Temporary Assistance for Needy Families block
 10 25 grant to Indians who reside in Iowa but live outside the
 10 26 reservation to establish a formula for providing match funding
 10 27 for the expenditures made by the tribes for such services.
 10 28 The department shall provide recommendations regarding
 10 29 implementation of the formula beginning in FY 2009=2010 to the
 10 30 governor and the persons designated by this Act to receive
 10 31 reports. For the purposes of this paragraph, "Indian",
 10 32 "reservation", and "Indian tribe" mean the same as defined in
 10 33 section 232B.3.

matching funds for expenditures made by the tribes for TANF services and provide recommendations for implementation of the formula beginning FY 2010.

DETAIL: This is a new requirement for FY 2009.

10 34 5. For general administration:
 10 35 \$ 3,744,000

TANF FY 2009 Block Grant appropriation for General Administration.

DETAIL: Maintains current level of TANF support.

11 1 6. For local administrative costs:
 11 2 \$ 2,189,830

TANF FY 2009 Block Grant appropriation for Local Administrative Costs.

DETAIL: Maintains current level of TANF support.

11 3 7. For state child care assistance:
 11 4 \$ 27,886,177

TANF FY 2009 Block Grant appropriation for Child Care Assistance.

DETAIL: This is an increase of \$8,900,000 compared to the estimated FY 2008 appropriation.

11 5 a. Of the funds appropriated in this subsection, \$200,000
 11 6 shall be used for provision of educational opportunities to
 11 7 registered child care home providers in order to improve
 11 8 services and programs offered by this category of providers
 11 9 and to increase the number of providers. The department may
 11 10 contract with institutions of higher education or child care
 11 11 resource and referral centers to provide the educational
 11 12 opportunities. Allowable administrative costs under the
 11 13 contracts shall not exceed 5 percent. The application for a
 11 14 grant shall not exceed two pages in length.

Requires that the (DHS) use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.

11 15 b. The funds appropriated in this subsection shall be
 11 16 transferred to the child care and development block grant
 11 17 appropriation.

Requires that funds appropriated be transferred to the Child Care and Development Block Grant.

11 18 c. Of the funds appropriated in this subsection,
 11 19 \$18,986,177 shall be transferred to the child care and
 11 20 development block grant appropriation made for the federal
 11 21 fiscal year beginning October 1, 2008, and ending September
 11 22 30, 2009.

Requires that \$18,986,177 of the funds appropriated be transferred to the child care and development block grant.

11 23 d. Any funds appropriated in this subsection remaining
 11 24 unallocated shall be used for state child care assistance
 11 25 payments for individuals enrolled in the family investment
 11 26 program who are employed.

Specifies that any unallocated funds be used for child care assistance for families enrolled in the FIP program.

11 27 8. For mental health and developmental disabilities
 11 28 community services:
 11 29 \$ 4,894,052

TANF FY 2009 Block Grant appropriation for Mental Health and Developmental Disabilities Community Services.

DETAIL: Maintains current level of TANF support.

11 30 9. For child and family services:
 11 31 \$ 32,084,430

TANF FY 2009 Block Grant appropriation for Child and Family Services.

DETAIL: Maintains current level of TANF support.

11 32 10. For child abuse prevention grants:
 11 33 \$ 250,000

TANF FY 2009 Block Grant appropriation for Child Abuse Prevention Grants.

DETAIL: Maintains current level of TANF support.

11 34 11. For pregnancy prevention grants on the condition that
 11 35 family planning services are funded:
 12 1 \$ 1,930,067

TANF FY 2009 Block Grant appropriation for pregnancy prevention grants if family planning services are funded.

DETAIL: Maintains current level of TANF support.

12 2 Pregnancy prevention grants shall be awarded to programs in
 12 3 existence on or before July 1, 2008, if the programs are
 12 4 comprehensive in scope and have demonstrated positive
 12 5 outcomes. Grants shall be awarded to pregnancy prevention
 12 6 programs which are developed after July 1, 2008, if the
 12 7 programs are comprehensive in scope and are based on existing
 12 8 models that have demonstrated positive outcomes. Grants shall
 12 9 comply with the requirements provided in 1997 Iowa Acts,
 12 10 chapter 208, section 14, subsections 1 and 2, including the
 12 11 requirement that grant programs must emphasize sexual
 12 12 abstinence. Priority in the awarding of grants shall be given
 12 13 to programs that serve areas of the state which demonstrate
 12 14 the highest percentage of unplanned pregnancies of females of
 12 15 childbearing age within the geographic area to be served by
 12 16 the grant.

Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires pregnancy prevention grants from the TANF to include the requirement that sexual abstinence be emphasized. Specifies that priority in awarding the grants should be given to programs in areas of the State that have the highest percentage of unplanned adolescent pregnancies of females of childbearing age within the geographic area served by the grant.

12 17 12. For technology needs and other resources necessary to
 12 18 meet federal welfare reform reporting, tracking, and case
 12 19 management requirements:
 12 20 \$ 1,037,186

TANF FY 2009 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains current level of TANF support.

12 21 13. For the healthy opportunities for parents to
 12 22 experience success (HOPES) program administered by the
 12 23 department of public health to target child abuse prevention:
 12 24 \$ 200,000

TANF FY 2009 Block Grant appropriation for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.

DETAIL: Maintains current level of TANF support.

12 25 14. To be credited to the state child care assistance
 12 26 appropriation made in this section to be used for funding of
 12 27 community-based early childhood programs targeted to children
 12 28 from birth through five years of age developed by community
 12 29 empowerment areas as provided in section 28.9:
 12 30 \$ 7,350,000

TANF FY 2009 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

DETAIL: Maintains current level of TANF support.

12 31 The department shall transfer TANF block grant funding

Requires the DHS to transfer TANF funds to the Child Care and

12 32 appropriated and allocated in this subsection to the child
 12 33 care and development block grant appropriation in accordance
 12 34 with federal law as necessary to comply with the provisions of
 12 35 this subsection.

Development Block Grant.

13 1 15. For a pilot program established in one or more
 13 2 judicial districts, selected by the department and the
 13 3 judicial council, to provide employment and support services
 13 4 to delinquent child support obligors as an alternative to
 13 5 commitment to jail as punishment for contempt of court:
 13 6 \$ 200,000

TANF FY 2009 Block Grant appropriation for a pilot program for delinquent child support obligors.

DETAIL: Maintains the current level of TANF support.

13 7 Of the amounts appropriated in this section, \$12,962,008
 13 8 for the fiscal year beginning July 1, 2008, shall be
 13 9 transferred to the appropriation of the federal social
 13 10 services block grant for that fiscal year.

Requires that \$12,962,008 of the federal TANF funds appropriated in this Section be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Maintains current level of TANF support.

13 11 The department may transfer funds allocated in this section
 13 12 to the appropriations in this Act for general administration
 13 13 and field operations for resources necessary to implement and
 13 14 operate the services referred to in this section and those
 13 15 funded in the appropriation made in this division of this Act
 13 16 for the family investment program from the general fund of the
 13 17 state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with TANF-funded Programs and the Family Investment Program (FIP).

13 18 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 19 1. Moneys credited to the family investment program (FIP)
 13 20 account for the fiscal year beginning July 1, 2008, and ending
 13 21 June 30, 2009, shall be used to provide assistance in
 13 22 accordance with chapter 239B.

Requires funds credited to the Family Investment Program (FIP) Account for FY 2009 to be used as specified.

13 23 2. The department may use a portion of the moneys credited

Permits the DHS to use FIP funds for various administrative purposes.

13 24 to the FIP account under this section as necessary for
 13 25 salaries, support, maintenance, and miscellaneous purposes.

13 26 3. The department may transfer funds allocated in this
 13 27 section to the appropriations in this Act for general
 13 28 administration and field operations for resources necessary to
 13 29 implement and operate the services referred to in this section
 13 30 and those funded in the appropriation made in this division of
 13 31 this Act for the family investment program from the general
 13 32 fund of the state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with this Section.

13 33 4. Moneys appropriated in this division of this Act and
 13 34 credited to the FIP account for the fiscal year beginning July
 13 35 1, 2008, and ending June 30, 2009, are allocated as follows:

Requires that TANF Block Grant funds appropriated to the FIP Account be allocated as specified.

14 1 a. To be retained by the department of human services to
 14 2 be used for coordinating with the department of human rights
 14 3 to more effectively serve participants in the FIP program and
 14 4 other shared clients and to meet federal reporting
 14 5 requirements under the federal temporary assistance for needy
 14 6 families block grant:
 14 7 \$ 20,000

Allocates \$20,000 to the DHS to be used for administrative services.

14 8 b. To the department of human rights for staffing,
 14 9 administration, and implementation of the family development
 14 10 and self=sufficiency grant program as provided under section
 14 11 217.12:
 14 12 \$ 5,563,042

Allocates \$5,563,042 of the FY 2009 General Fund appropriation and TANF funds to the Department of Human Rights for the Family Development and Self-Sufficiency (FaDSS) Grant Program.

DETAIL: Maintains current level of TANF support.

14 13 (1) Of the funds allocated for the family development and
 14 14 self=sufficiency grant program in this lettered paragraph, not
 14 15 more than 5 percent of the funds shall be used for the
 14 16 administration of the grant program.

Specifies that a maximum of 5.00% of the allocation be spent on administration of Family Development and Self-Sufficiency (FaDSS) Program grants.

14 17 (2) The department of human rights may continue to
14 18 implement the family development and self=sufficiency grant
14 19 program statewide during fiscal year 2008=2009.

Permits the Department of Human Rights to continue the statewide operation of the Family Development and Self-Sufficiency (FaDSS) Program during FY 2009.

14 20 (3) The department of human rights is responsible for
14 21 complying with all federal temporary assistance for needy
14 22 families block grant requirements with respect to the funds
14 23 allocated in this lettered paragraph and for any federal
14 24 penalty that may result from a failure to meet the
14 25 requirements. These responsibilities include but are not
14 26 limited to ensuring that all expenditures of federal block
14 27 grant and state maintenance of effort funds are appropriate
14 28 and allowable in accordance with federal requirements and meet
14 29 federal work participation requirements with respect to the
14 30 population receiving benefits or services under the family
14 31 development and self=sufficiency grant program that are
14 32 subject to work requirements.

Specifies that the Department of Human Rights is responsible for meeting all requirement of the TANF block grant carried out under the FaDSS program.

14 33 (4) With the allocation of funding for the family
14 34 development and self=sufficiency grant program directly to the
14 35 department of human rights in lieu of allocation through the
15 1 department of human services, the department of human rights
15 2 shall assume all responsibility for the grant program. The
15 3 responsibility includes identifying and addressing
15 4 implementation of any revisions in state law or administrative
15 5 rule needed to effect this change, including but not limited
15 6 to identifying any amendments needed to section 217.12.

Requires the Department of Human Rights to assume all responsibility for the grant program, including addressing implementation of any revisions of State law or administrative rule.

15 7 (5) The department of human rights shall provide the
15 8 department of human services with information necessary for
15 9 compliance with federal temporary assistance for needy
15 10 families block grant state plan and reporting requirements,
15 11 including but not limited to financial and data reports.

Requires the Department of Human Rights to provide the DHS with any necessary information for compliance with the TANF block grant.

15 12 c. For the diversion subaccount of the FIP account:

Allocates \$2,814,000 of FY 2008 TANF funds for the FIP Diversion

15 13 \$ 2,814,000

Subaccount.

DETAIL: Maintains current level of TANF support.

15 14 (1) A portion of the moneys allocated for the subaccount
 15 15 may be used for field operations salaries, data management
 15 16 system development, and implementation costs and support
 15 17 deemed necessary by the director of human services in order to
 15 18 administer the FIP diversion program.

Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.

15 19 (2) Of the funds allocated in this lettered paragraph, not
 15 20 more than \$250,000 shall be used to develop or continue
 15 21 community-level parental obligation pilot projects. The
 15 22 requirements established under 2001 Iowa Acts, chapter 191,
 15 23 section 3, subsection 5, paragraph "c", subparagraph (3),
 15 24 shall remain applicable to the parental obligation pilot
 15 25 projects for fiscal year 2008=2009. Notwithstanding 441 IAC
 15 26 100.8, providing for termination of rules relating to the
 15 27 pilot projects the earlier of October 1, 2006, or when
 15 28 legislative authority is discontinued, the rules relating to
 15 29 the pilot projects shall remain in effect until June 30, 2009.

Requires a maximum of \$250,000 allocated for innovation strategies to be used to develop or continue pilot projects to assist parents in meeting child support obligations. Pilot projects may also attempt to prevent family separations. Requires the projects to maximize use of existing community service resources and encourage local financial contributions. Specifies that the DHS rules governing the pilot project stay in effect until the end of FY 2009.

15 30 d. For continuation of the program to provide transitional
 15 31 benefits to families with members who are employed at the time
 15 32 the family leaves the family investment program in accordance
 15 33 with section 239B.11A:
 15 34 \$ 2,000,000

Allocates \$2,000,000 of FY 2009 TANF funds for a transitional benefits program for families that are employed when leaving the FIP program.

15 35 e. For the food stamp employment and training program:
 16 1 \$ 68,059

Allocates \$68,059 of FY 2009 FIP funds to the Food Stamp Employment and Training Program.

DETAIL: Maintains current level of support.

16 2 f. For the JOBS program:

Permits the DHS to allocate \$22,310,116 of the FY 2009 General

16 3 \$ 22,310,116

Fund appropriation and TANF funds for the PROMISE JOBS Program.

16 4 5. Of the child support collections assigned under FIP, an
 16 5 amount equal to the federal share of support collections shall
 16 6 be credited to the child support recovery appropriation. Of
 16 7 the remainder of the assigned child support collections
 16 8 received by the child support recovery unit, a portion shall
 16 9 be credited to the FIP account, a portion may be used to
 16 10 increase recoveries, and a portion may be used to sustain cash
 16 11 flow in the child support payments account. If as a result
 16 12 the appropriations allocated in this section are insufficient
 16 13 to sustain cash assistance payments and meet federal
 16 14 maintenance of effort requirements, the department shall seek
 16 15 supplemental funding. If child support collections assigned
 16 16 under FIP are greater than estimated or are otherwise
 16 17 determined not to be required for maintenance of effort, the
 16 18 state share of either amount may be transferred to or retained
 16 19 in the child support payment account.

Requires the federal share of child support collections recovered by the State to be credited to the Child Support Recovery Unit. The remainder of support collected is credited to the FIP account and the DHS is permitted to use a portion to increase recoveries and to sustain cash flow in the child support payments account.

16 20 6. The department may adopt emergency rules for the family
 16 21 investment, JOBS, family development and self-sufficiency
 16 22 grant, food stamp, and medical assistance programs if
 16 23 necessary to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP, Food Stamp Program, and Medical Assistance Program.

16 24 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
 16 25 appropriated from the general fund of the state to the
 16 26 department of human services for the fiscal year beginning
 16 27 July 1, 2008, and ending June 30, 2009, the following amount,
 16 28 or so much thereof as is necessary, to be used for the purpose
 16 29 designated:

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

16 30 To be credited to the family investment program (FIP)
 16 31 account and used for family investment program assistance
 16 32 under chapter 239B:

DETAIL: Maintains current level of General Fund support.

16 33 \$ 42,675,127

The appropriation for the FIP Account also contains funding for the PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).

16 34 1. Of the funds appropriated in this section, \$8,975,588
16 35 is allocated for the JOBS program.

General Fund allocation of \$8,975,588 for the PROMISE JOBS and FaDSS Programs.

DETAIL: Maintains current level of General Fund support.

17 1 2. Of the funds appropriated in this section, \$2,584,367
17 2 is allocated for the family development and self-sufficiency
17 3 grant program as provided under section 217.12 and this
17 4 division of this Act. The department of human rights shall
17 5 ensure that the expenditures of moneys allocated from the
17 6 general fund of the state pursuant to this subsection are
17 7 eligible to be considered as state maintenance of effort
17 8 expenditures under federal temporary assistance for needy
17 9 families block grant requirements.

General Fund allocation of \$2,584,367 for the FaDSS Program.

DETAIL: Maintains current level of General Fund support.

17 10 3. a. Of the funds appropriated in this section, \$250,000
17 11 shall be used for a grant to an Iowa-based nonprofit
17 12 organization with a history of providing tax preparation
17 13 assistance to low-income lowans in order to expand the usage
17 14 of the earned income tax credit. The purpose of the grant is
17 15 to supply this assistance to underserved areas of the state.
17 16 The grant shall be provided to an organization that has
17 17 existing national foundation support for supplying such
17 18 assistance that can also secure local charitable match
17 19 funding.

General Fund allocation of \$250,000 to provide tax preparation help for low-income lowans.

DETAIL: Maintains current level of General Fund support.

17 20 b. The general assembly supports efforts by the
17 21 organization receiving funding under this subsection to create
17 22 a statewide earned income tax credit and asset-building
17 23 coalition to achieve both of the following purposes:
17 24 (1) Expanding the usage of the tax credit through new and
17 25 enhanced outreach and marketing strategies, as well as
17 26 identifying new local sites and human and financial resources.
17 27 (2) Assessing and recommending various strategies for
17 28 lowans to develop assets through savings, individual

Specifies that the General Assembly supports the efforts to create a statewide earned income tax credit and asset-building coalition.

17 29 development accounts, financial literacy, antipredatory
17 30 lending initiatives, informed home ownership, use of various
17 31 forms of support for work, and microenterprise business
17 32 development targeted to persons who are self-employed or have
17 33 fewer than five employees.

17 34 4. Notwithstanding section 8.39, for the fiscal year
17 35 beginning July 1, 2008, if necessary to meet federal
18 1 maintenance of effort requirements or to transfer federal
18 2 temporary assistance for needy families block grant funding to
18 3 be used for purposes of the federal social services block
18 4 grant or to meet cash flow needs resulting from delays in
18 5 receiving federal funding or to implement, in accordance with
18 6 this division of this Act, activities currently funded with
18 7 juvenile court services, county, or community moneys and state
18 8 moneys used in combination with such moneys, the department of
18 9 human services may transfer funds within or between any of the
18 10 appropriations made in this division of this Act and
18 11 appropriations in law for the federal social services block
18 12 grant to the department for the following purposes, provided
18 13 that the combined amount of state and federal temporary
18 14 assistance for needy families block grant funding for each
18 15 appropriation remains the same before and after the transfer:
18 16 a. For the family investment program.
18 17 b. For child care assistance.
18 18 c. For child and family services.
18 19 d. For field operations.
18 20 e. For general administration.
18 21 f. MH/MR/DD/BI community services (local purchase).
18 22 This subsection shall not be construed to prohibit the use
18 23 of existing state transfer authority for other purposes. The
18 24 department shall report any transfers made pursuant to this
18 25 subsection to the legislative services agency.

CODE: Specifies that the DHS has the authority to transfer TANF funds to the Social Services Block Grant as necessary to meet Maintenance of Effort requirements.

18 26 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated
18 27 from the general fund of the state to the department of human

General Fund appropriation to the DHS for the Child Support Recovery Unit.

18 28 services for the fiscal year beginning July 1, 2008, and
 18 29 ending June 30, 2009, the following amount, or so much thereof
 18 30 as is necessary, to be used for the purposes designated:
 18 31 For child support recovery, including salaries, support,
 18 32 maintenance, and miscellaneous purposes, and for not more than
 18 33 the following full-time equivalent positions:
 18 34 \$ 14,951,757
 18 35 FTEs 515.00

DETAIL: This is an increase of \$4,481,913 and a decrease of 4.00 FTE positions compared to the estimated FY 2008 appropriation. The increase and decreases includes:

- An increase of \$5,278,000 to compensate for a shortfall resulting from provisions in the federal Deficit Reduction Act of 2005.
- A decrease of \$71,100 due to customer service paper and postage savings.
- A decrease of \$320,960 due to savings in imaging technology.
- A decrease of \$273,942 for the delay in implementation of medical requirements.
- A decrease of \$96,085 to maintain FY 2008 computer rates.
- A decrease of \$34,000 due to enhancements in payment processing.

19 1 1. The department shall expend up to \$31,000, including
 19 2 federal financial participation, for the fiscal year beginning
 19 3 July 1, 2008, for a child support public awareness campaign.
 19 4 The department and the office of the attorney general shall
 19 5 cooperate in continuation of the campaign. The public
 19 6 awareness campaign shall emphasize, through a variety of media
 19 7 activities, the importance of maximum involvement of both
 19 8 parents in the lives of their children as well as the
 19 9 importance of payment of child support obligations.

Requires the DHS to expend up to \$31,000 during FY 2008 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.

DETAIL: Maintains current level of General Fund support.

19 10 2. Federal access and visitation grant moneys shall be
 19 11 issued directly to private not-for-profit agencies that
 19 12 provide services designed to increase compliance with the
 19 13 child access provisions of court orders, including but not
 19 14 limited to neutral visitation sites and mediation services.

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

19 15 3. The appropriation made to the department for child

Permits the DHS to use the appropriation as necessary and draw

19 16 support recovery may be used throughout the fiscal year in the
 19 17 manner necessary for purposes of cash flow management, and for
 19 18 cash flow management purposes the department may temporarily
 19 19 draw more than the amount appropriated, provided the amount
 19 20 appropriated is not exceeded at the close of the fiscal year.

more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

19 21 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from
 19 22 the general fund of the state to the department of human
 19 23 services for the fiscal year beginning July 1, 2008, and
 19 24 ending June 30, 2009, the following amount, or so much thereof
 19 25 as is necessary, to be used for the purpose designated:
 19 26 For medical assistance reimbursement and associated costs
 19 27 as specifically provided in the reimbursement methodologies in
 19 28 effect on June 30, 2008, except as otherwise expressly
 19 29 authorized by law, including reimbursement for abortion
 19 30 services which shall be available under the medical assistance
 19 31 program only for those abortions which are medically
 19 32 necessary:
 19 33 \$646,745,853

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.

DETAIL: This is a net increase of \$29,974,033 compared to the estimated net FY 2008 appropriation. Major increase and decrease include:

- An increase of \$3,257,805 for increases in utilization and enrollment.
- A decrease of \$863,115 for a surcharge on paper claims where electronic processing is available.
- A decrease of \$425,500 due to the collection of rebates on diabetic supplies.
- A decrease of \$240,000 to create two levels of targeted case management.
- An increase of \$2,795,782 to continue to cover additional children.
- A decrease of \$750,000 due to changes in the nursing facility accountability payment.
- An increase of \$129,355 for a supplement in personal needs allowance of up to \$50 for ICF/MRs and ICF/MIs.
- An increase of \$1,143,522 for the Demonstration to Maintain Independence and Employment (DMIE) Program.
- An increase of \$2,500,000 to move the Brain Injury Waiver funding from the Department of Public Health to the Department of Human Services for continuation of those expenditures.
- An increase of \$7,321,954 to shift the funding of the Psychiatric Papers Program to Medicaid.
- An increase of \$35,327,368 to shift funding from the Healthy Iowans Tobacco Trust Fund to Medicaid General Fund.
- A decrease of \$19,963,138 due to a shift in funding sources from the General Fund to the Property Tax Credit Fund, Health Care

Trust Fund, and the Senior Living Trust Fund.

- A decrease of \$260,000 to adjust for PMICs insurance coverage after 30 days. This will now be covered by insurance carriers.

19 34 1. Medically necessary abortions are those performed under
19 35 any of the following conditions:

20 1 a. The attending physician certifies that continuing the
20 2 pregnancy would endanger the life of the pregnant woman.

20 3 b. The attending physician certifies that the fetus is
20 4 physically deformed, mentally deficient, or afflicted with a
20 5 congenital illness.

20 6 c. The pregnancy is the result of a rape which is reported
20 7 within 45 days of the incident to a law enforcement agency or
20 8 public or private health agency which may include a family
20 9 physician.

20 10 d. The pregnancy is the result of incest which is reported
20 11 within 150 days of the incident to a law enforcement agency or
20 12 public or private health agency which may include a family
20 13 physician.

20 14 e. Any spontaneous abortion, commonly known as a
20 15 miscarriage, if not all of the products of conception are
20 16 expelled.

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been in the DHS Appropriations Bill for several years.

20 17 2. The department shall utilize not more than \$60,000 of
20 18 the funds appropriated in this section to continue the
20 19 AIDS/HIV health insurance premium payment program as
20 20 established in 1992 Iowa Acts, Second Extraordinary Session,
20 21 chapter 1001, section 409, subsection 6. Of the funds
20 22 allocated in this subsection, not more than \$5,000 may be
20 23 expended for administrative purposes.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the Acquired Immune Deficiency Syndrome/Human Immunodeficiency Virus (AIDS/HIV) Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

DETAIL: Maintains current level of General Fund support.

20 24 3. Of the funds appropriated in this Act to the department
20 25 of public health for addictive disorders, \$950,000 for the
20 26 fiscal year beginning July 1, 2008, shall be transferred to

Requires \$950,000 from the Substance Abuse Grants appropriation within the Department of Public Health to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to

20 27 the department of human services for an integrated substance
20 28 abuse managed care system. The department shall not assume
20 29 management of the substance abuse system in place of the
20 30 managed care contractor unless such a change in approach is
20 31 specifically authorized in law. The departments of human
20 32 services and public health shall work together to maintain the
20 33 level of mental health and substance abuse services provided
20 34 by the managed care contractor through the Iowa plan for
20 35 behavioral health. Each department shall take the steps
21 1 necessary to continue the federal waivers as necessary to
21 2 maintain the level of services.

assume management of the Program.

DETAIL: Maintains current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

21 3 4. a. The department shall aggressively pursue options
21 4 for providing medical assistance or other assistance to
21 5 individuals with special needs who become ineligible to
21 6 continue receiving services under the early and periodic
21 7 screening, diagnosis, and treatment program under the medical
21 8 assistance program due to becoming 21 years of age who have
21 9 been approved for additional assistance through the
21 10 department's exception to policy provisions, but who have
21 11 health care needs in excess of the funding available through
21 12 the exception to policy provisions.
21 13 b. Of the funds appropriated in this section, \$100,000
21 14 shall be used for participation in one or more pilot projects
21 15 operated by a private provider to allow the individual or
21 16 individuals to receive service in the community in accordance
21 17 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
21 18 (1999), for the purpose of providing medical assistance or
21 19 other assistance to individuals with special needs who become
21 20 ineligible to continue receiving services under the early and
21 21 periodic screening, diagnosis, and treatment program under the
21 22 medical assistance program due to becoming 21 years of age who
21 23 have been approved for additional assistance through the
21 24 department's exception to policy provisions, but who have
21 25 health care needs in excess of the funding available through
21 26 the exception to the policy provisions.

Requires the DHS to aggressively pursue options for assisting special need individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process, but have health care needs exceeding available funding. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

DETAIL: Maintains current level of General Fund support.

21 27 5. Of the funds appropriated in this section, up to
 21 28 \$3,050,082 may be transferred to the field operations or
 21 29 general administration appropriations in this Act for
 21 30 operational costs associated with Part D of the federal
 21 31 Medicare Prescription Drug, Improvement, and Modernization Act
 21 32 of 2003, Pub. L. No. 108=173.

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

21 33 6. In addition to any other funds appropriated in this
 21 34 Act, of the funds appropriated in this section, \$250,000 shall
 21 35 be used for the grant to the Iowa healthcare collaborative as
 22 1 defined in section 135.40.

Allocates a \$250,000 grant from the General Fund appropriation for Medical Assistance to the Iowa Healthcare Collaborative for efforts to promote improvements in health care.

22 2 7. Of the funds appropriated in this section, a portion
 22 3 shall be used to enhance outreach efforts. The department may
 22 4 transfer funds allocated in this subsection to the
 22 5 appropriations in this division of this Act for general
 22 6 administration, the state children's health insurance program,
 22 7 or medical contracts, as necessary, to implement the outreach
 22 8 efforts.

Allows the DHS to expend up to \$500,000 on outreach efforts.

22 9 8. Of the funds appropriated in this section, up to
 22 10 \$442,100 may be transferred to the appropriation in this Act
 22 11 for medical contracts to be used for clinical assessment
 22 12 services related to remedial services in accordance with
 22 13 federal law.

Allows a maximum of \$442,100 for Clinical Assessment Services.

DETAIL: Maintains current allocation level.

22 14 9. Of the funds appropriated in this section, \$1,143,522
 22 15 may be used for the demonstration to maintain independence and
 22 16 employment (DMIE) if the waiver for DMIE is approved by the
 22 17 centers for Medicare and Medicaid services of the United
 22 18 States department of health and human services. Additionally,
 22 19 if the waiver is approved, \$440,000 of the funds shall be
 22 20 transferred to the department of corrections for DMIE
 22 21 activities.

Permits the DHS to expend \$1,143,522 for the Demonstration to Maintain Independence and Employment (DMIE) waiver if approval is received from the federal government. In addition, the Department is to transfer \$440,000 to the Department of Corrections for DMIE activities.

DETAIL: The DHS and the Department of Corrections applied for the DMIE waiver. The waiver would provide medication and counseling for inmates with mental illness being released from correctional

facilities.

22 22 10. The drug utilization review commission shall monitor
22 23 the smoking cessation benefit provided under the medical
22 24 assistance program and shall provide a report of utilization,
22 25 client success, cost=effectiveness, and recommendations for
22 26 any changes in the benefit to the persons designated in this
22 27 Act to receive reports by January 15, 2009. If a prescriber
22 28 determines that all smoking cessation aids on the preferred
22 29 drug list are not effective or medically appropriate for a
22 30 patient, the prescriber may apply for an exception to policy
22 31 for another product approved by the United States food and
22 32 drug administration for smoking cessation pursuant to 441 IAC
22 33 1.8(1).

Requires the DHS Drug Utilization Review Commission to monitor smoking cessation benefits provided under the Medicaid Program and report any recommendations for changes by January 15, 2009.

22 34 11. A portion of the funds appropriated in this section
22 35 may be transferred to the appropriations in this division of
23 1 this Act for general administration, medical contracts, the
23 2 state children's health insurance program, or field operations
23 3 to be used for the state match cost to comply with the payment
23 4 error rate measurement (PERM) program for both the medical
23 5 assistance and state children's health insurance programs as
23 6 developed by the centers for Medicare and Medicaid services of
23 7 the United States department of health and human services to
23 8 comply with the federal Improper Payments Information Act of
23 9 2002, Pub. L. No. 107=300.

Permits the Department to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the Department into compliance with the federal Improper Payments Information Act of 2002.

23 10 12. It is the intent of the general assembly that the
23 11 department implement the recommendations of the assuring
23 12 better child health and development initiative II (ABCDII)
23 13 clinical panel to the Iowa early and periodic screening,
23 14 diagnostic, and treatment services healthy mental development
23 15 collaborative board regarding changes to billing procedures,
23 16 codes, and eligible service providers.

Specifies legislative intent that the Department implement the recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

23 17 13. Of the funds appropriated in this section, a
 23 18 sufficient amount is allocated to supplement the incomes of
 23 19 residents of nursing facilities, intermediate care facilities
 23 20 for persons with mental illness, and intermediate care
 23 21 facilities for persons with mental retardation, with incomes
 23 22 of less than \$50 in the amount necessary for the residents to
 23 23 receive a personal needs allowance of \$50 per month pursuant
 23 24 to section 249A.30A.

Requires the Department to provide residents in nursing facilities, ICF/MRs and ICF/MIs with a personal needs allowance of \$50 per month.

DETAIL: This adds provisions for residents in both ICF/MRs and ICF/MIs to have their income supplemented in FY 2009.

23 25 14. Of the funds appropriated in this section, the
 23 26 following amounts shall be transferred to appropriations made
 23 27 in this division of this Act to the state mental health
 23 28 institutes:
 23 29 a. Cherokee mental health institute \$ 5,933,659
 23 30 b. Clarinda mental health institute \$ 1,289,526
 23 31 c. Independence mental health institute \$ 5,899,400
 23 32 d. Mount Pleasant mental health institute \$ 3,751,626

Transfers funds from the Medical Assistance appropriation to the four Mental Health Institutes.

DETAIL: This is a new transfer for FY 2009. The funds are transferred to replace funding from the IowaCare Program that is being phased out in FY 2009 and FY 2010.

23 33 15. a. Of the funds appropriated in this section,
 23 34 \$2,797,719 is allocated for state match for disproportionate
 23 35 share hospital payment of \$7,321,954 to hospitals that meet
 24 1 both of the following conditions:
 24 2 (1) The hospital qualifies for disproportionate share and
 24 3 graduate medical education payments.
 24 4 (2) The hospital is an Iowa state-owned hospital with more
 24 5 than 500 beds and eight or more distinct residency specialty
 24 6 or subspecialty programs recognized by the American college of
 24 7 graduate medical education.
 24 8 b. Distribution of the disproportionate share payment
 24 9 shall be made on a monthly basis. The total amount of
 24 10 disproportionate share payments including graduate medical
 24 11 education, enhanced disproportionate share, and Iowa
 24 12 state-owned teaching hospital payments shall not exceed the
 24 13 amount of the state's allotment under Pub. L. No. 102=234. In
 24 14 addition, the total amount of all disproportionate share
 24 15 payments shall not exceed the hospital-specific

Allocates \$2,797,719 for the State match for the disproportionate share hospital payment of \$7,321,954. This is a new allocation for FY 2009.

24 16	disproportionate share limits under Pub. L. No. 103=66.	
24 17	16. Of the funds appropriated in this section, \$250,000	Allocates \$250,000 to the Iowa Chronic Care Consortium.
24 18	shall be used for the Iowa chronic care consortium pursuant to	
24 19	2003 Iowa Acts, chapter 112, section 12, as amended by 2003	
24 20	Iowa Acts, chapter 179, sections 166 and 167.	
24 21	17. The department shall implement cost=saving initiatives	Requires the Department to implement various cost savings
24 22	including implementing a surcharge for claims filed on paper	initiatives.
24 23	when electronic filing is available and collecting a	
24 24	supplemental rebate for diabetic supplies.	
24 25	18. One hundred percent of the nonfederal share of payments	Allocates Medicaid funds to Area Education Agencies.
24 26	to area education agencies that are medical assistance	
24 27	providers for medical assistance=covered services provided to	
24 28	medical assistance=covered children, shall be made from the	
24 29	appropriation made in this section.	
24 30	Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There	General Fund appropriation to the DHS for the Health Insurance
24 31	is appropriated from the general fund of the state to the	Premium Payment (HIPP) Program.
24 32	department of human services for the fiscal year beginning	
24 33	July 1, 2008, and ending June 30, 2009, the following amount,	DETAIL: A decrease of \$107,260 to transfer technology staff to
24 34	or so much thereof as is necessary, to be used for the purpose	General Administration and no change in FTE positions.
24 35	designated:	
25 1	For administration of the health insurance premium payment	
25 2	program, including salaries, support, maintenance, and	
25 3	miscellaneous purposes, and for not more than the following	
25 4	full=time equivalent positions:	
25 5	..... \$ 566,338	
25 6	..... FTEs 21.00	
25 7	Sec. 11. MEDICAL CONTRACTS. There is appropriated from	General Fund appropriation to the DHS for Medical Contracts.
25 8	the general fund of the state to the department of human	
25 9	services for the fiscal year beginning July 1, 2008, and	DETAIL: This is a net increase of \$756,058 compared to the

25 10	ending June 30, 2009, the following amount, or so much thereof	estimated FY 2008 appropriation and no change in FTE positions.
25 11	as is necessary, to be used for the purpose designated:	Changes include:
25 12	For medical contracts, including salaries, support,	
25 13	maintenance, and miscellaneous purposes, and for not more than	• A decrease of \$250,000 to maintain FY 2008 funding levels for
25 14	the following full-time equivalent positions:	Home and Community Based Waiver Services (HCBS) reviews.
25 15	..... \$ 14,546,616	• An increase of \$381,066 to restore a loss of funding from the
25 16	..... FTEs 6.00	Pharmaceutical Settlement Account.
		• An increase of \$624,992 for increases in costs of a contract with
		the Department of Inspections and Appeals.
25 17	1. Of the funds appropriated in this section, \$50,000	
25 18	shall be used for electronic cross-matching with state vital	Allocates \$50,000 for a data match with the Department of Public
25 19	records databases through the department of public health.	Health and outreach for citizenship requirements for Medicaid
		applicants.
25 20	2. Of the funds appropriated in this section, \$250,000	
25 21	shall be used for monitoring of home and community-based	Allocates \$250,000 for increased monitoring of the Home and
25 22	services waivers.	Community-Based Services waivers to assure information is being
		documented correctly and to avoid federal audits.
25 23	Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.	
25 24	1. There is appropriated from the general fund of the	General Fund appropriation to the DHS for State Supplementary
25 25	state to the department of human services for the fiscal year	Assistance.
25 26	beginning July 1, 2008, and ending June 30, 2009, the	
25 27	following amount, or so much thereof as is necessary, to be	DETAIL: This is an increase of \$1,100,000 compared to the
25 28	used for the purpose designated:	estimated FY 2008 appropriation to restore carryforward funds from
25 29	For the state supplementary assistance program:	FY 2007.
25 30	..... \$ 18,310,335	
25 31	2. The department shall increase the personal needs	
25 32	allowance for residents of residential care facilities by the	Requires the DHS to increase the personal needs allowance of
25 33	same percentage and at the same time as federal supplemental	residential care facilities residents at the same rate and time as
25 34	security income and federal social security benefits are	federal Supplemental Security Income (SSI) and Social Security
25 35	increased due to a recognized increase in the cost of living.	benefits are increased. Permits the DHS to adopt emergency rules
26 1	The department may adopt emergency rules to implement this	for implementation.
26 2	subsection.	

26 3 3. If during the fiscal year beginning July 1, 2008, the
 26 4 department projects that state supplementary assistance
 26 5 expenditures for a calendar year will not meet the federal
 26 6 pass-through requirement specified in Title XVI of the federal
 26 7 Social Security Act, section 1618, as codified in 42 U.S.C.
 26 8 1382g, the department may take actions including but not
 26 9 limited to increasing the personal needs allowance for
 26 10 residential care facility residents and making programmatic
 26 11 adjustments or upward adjustments of the residential care
 26 12 facility or in-home health-related care reimbursement rates
 26 13 prescribed in this division of this Act to ensure that federal
 26 14 requirements are met. In addition, the department may make
 26 15 other programmatic and rate adjustments necessary to remain
 26 16 within the amount appropriated in this section while ensuring
 26 17 compliance with federal requirements. The department may
 26 18 adopt emergency rules to implement the provisions of this
 26 19 subsection.

Permits the DHS to adjust rates for State Supplementary Assistance to meet federal maintenance of effort requirements. Permits the DHS to adopt emergency rules for implementation.

26 20 Sec. 13. STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

26 21 1. There is appropriated from the general fund of the
 26 22 state to the department of human services for the fiscal year
 26 23 beginning July 1, 2008, and ending June 30, 2009, the
 26 24 following amount, or so much thereof as is necessary, to be
 26 25 used for the purpose designated:

26 26 For maintenance of the healthy and well kids in Iowa (hawk=
 26 27 i) program pursuant to chapter 514I for receipt of federal
 26 28 financial participation under Title XXI of the federal Social
 26 29 Security Act, which creates the state children's health
 26 30 insurance program:
 26 31 \$ 15,158,637

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (*hawk-i*) Program.

DETAIL: This is a net increase of \$287,585 compared to the FY 2008 appropriation. Major increases and decreases include:

- An increase of \$2,129,703 to continue to enroll additional eligible children.
- A decrease of \$9,000,000 due to funds available from the *hawk-i* Trust Fund.
- An increase of \$8,329,570 to transfer funding from the Health Care Trust Fund.
- A decrease of \$509,000 for a reduction in advertising.
- A decrease of \$662,688 to reflect the appropriate Federal Medical Assistance Percentage (FMAP) rate.

26 32 2. If sufficient funding is available under this Act, and

Specifies that if funding is available under the State Children's Health Insurance Program, coverage should be expanded to children of State

26 33 if federal reauthorization of the state children's health
 26 34 insurance program provides sufficient federal allocations to
 26 35 the state and authorization to cover the following populations
 27 1 as an option under the state children's health insurance
 27 2 program, the department may expand coverage under the state
 27 3 children's health insurance program as follows:
 27 4 a. By eliminating the categorical exclusion of state
 27 5 employees from receiving state children's health insurance
 27 6 program benefits.
 27 7 b. By providing coverage for legal immigrant children and
 27 8 pregnant women not eligible under current federal guidelines.
 27 9 c. By covering children up to age twenty=one, or up to age
 27 10 twenty=three if the child is attending school.

employees that would be eligible but are currently excluded, legal immigrant children, and children up to age 21 or up to age 23 if attending school.

27 11 3. If the United States Congress does not authorize
 27 12 additional federal funds necessary to address the shortfall
 27 13 for the state children's health insurance program for the
 27 14 federal fiscal year beginning October 1, 2007, and ending
 27 15 September 30, 2008, the department may use 100 percent of
 27 16 state funds from the appropriation made in this section for
 27 17 the period beginning July 1, 2008, and ending September 30,
 27 18 2009, and may, after consultation with the governor and the
 27 19 general assembly, utilize funding from the appropriations made
 27 20 in this Act for medical assistance to maintain the state
 27 21 children's health insurance program. If deemed necessary, the
 27 22 department shall request a supplemental appropriation from the
 27 23 Eighty=third General Assembly, 2009 Session, to address any
 27 24 remaining shortfall for the fiscal year beginning July 1,
 27 25 2008.

Permits the DHS to use all State funds if the United States Congress does not authorize additional federal funds necessary to cover the cost of the program. After consultation with the Governor and the General Assembly, the DHS may use other funds appropriated in this Bill.

27 26 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated
 27 27 from the general fund of the state to the department of human
 27 28 services for the fiscal year beginning July 1, 2008, and
 27 29 ending June 30, 2009, the following amount, or so much thereof
 27 30 as is necessary, to be used for the purpose designated:
 27 31 For child care programs:

General Fund appropriation to the DHS for the Child Care Assistance Program.

DETAIL: This is a net increase of \$1,423,194 compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$54,451 to replace the FY 2007 carryforward.

27 32 \$ 39,298,895

- A decrease of \$158,469 for Field Operations staff costs transferred to Feed Operations.
- A decrease of \$24,459 for information technology costs transferred to General Administration.
- A decrease of \$148,711 due to an increase in the available federal match.
- A decrease of \$1,100,000 to maintain the FY 2008 amount for child care training. The FY 2009 amount transferred from the Temporary Assistance for Needy Families (TANF) funds provides an increase in the same amount for this purpose. The result is to maintain the FY 2008 amount for child care training.
- An increase of \$350,000 for a transfer to a single county for related child care costs for children with exceptional needs.
- An increase of \$2,559,284 for additional child care subsidy funds.

An additional \$2,000,000 in TANF funds are made available for the FY 2009 child care subsidy funding. An additional \$6,100,000 from FY 2008 Child and Family Services funds are transferred to the child care appropriation to use in FY 2009. An additional \$440,716 from the hawk-i Trust Fund is transferred to the child care appropriation to use in FY 2009.

27 33 1. Of the funds appropriated in this section, \$36,043,083
 27 34 shall be used for state child care assistance in accordance
 27 35 with section 237A.13.

Requires that \$36,043,083 be used to provide child care assistance for low-income employed lowans.

DETAIL: This is an increase of \$1,073,194 compared to the FY 2008 allocation. This does not include funds from FY 2008 made available for expenditure in FY 2009 through carryforward funds.

28 1 2. Nothing in this section shall be construed or is
 28 2 intended as or shall imply a grant of entitlement for services
 28 3 to persons who are eligible for assistance due to an income
 28 4 level consistent with the waiting list requirements of section
 28 5 237A.13. Any state obligation to provide services pursuant to
 28 6 this section is limited to the extent of the funds
 28 7 appropriated in this section.

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

28 8 3. Of the funds appropriated in this section, \$525,524 is
 28 9 allocated for the statewide program for child care resource
 28 10 and referral services under section 237A.26. A list of the
 28 11 registered and licensed child care facilities operating in the
 28 12 area served by a child care resource and referral service
 28 13 shall be made available to the families receiving state child
 28 14 care assistance in that area.

Allocates \$525,524 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: Maintains current allocation level.

28 15 4. Of the funds appropriated in this section, \$1,180,288
 28 16 is allocated for child care quality improvement initiatives
 28 17 including but not limited to the voluntary quality rating
 28 18 system in accordance with section 237A.30.

Allocates \$1,180,288 for the Quality Rating System (QRS).

DETAIL: This is the same as the FY 2008 allocation level.

28 19 5. The department may use any of the funds appropriated in
 28 20 this section as a match to obtain federal funds for use in
 28 21 expanding child care assistance and related programs. For the
 28 22 purpose of expenditures of state and federal child care
 28 23 funding, funds shall be considered obligated at the time
 28 24 expenditures are projected or are allocated to the
 28 25 department's service areas. Projections shall be based on
 28 26 current and projected caseload growth, current and projected
 28 27 provider rates, staffing requirements for eligibility
 28 28 determination and management of program requirements including
 28 29 data systems management, staffing requirements for
 28 30 administration of the program, contractual and grant
 28 31 obligations and any transfers to other state agencies, and
 28 32 obligations for decategorization or innovation projects.

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2008.

28 33 6. A portion of the state match for the federal child care
 28 34 and development block grant shall be provided as necessary to
 28 35 meet federal matching funds requirements through the state
 29 1 general fund appropriation made for child development grants
 29 2 and other programs for at-risk children in section 279.51.

Requires that a portion of the State match for the federal Child Care and Development Block Grant be provided from the State appropriation for child development grants and other programs for at-risk children.

29 3 7. Of the funds appropriated in this section, \$1,200,000

Requires a transfer of \$1,200,000 to the Iowa Empowerment Board

29 4 is transferred to the Iowa empowerment fund from which it is
 29 5 appropriated to be used for professional development for the
 29 6 system of early care, health, and education.

for professional development opportunities for individuals working in
 early care, health, and education.

DETAIL: Maintains the current allocation level.

29 7 8. Of the funds appropriated in this section, \$350,000
 29 8 shall be allocated to a county with a population of more than
 29 9 300,000 to be used for a grant to support child care center
 29 10 services provided to children with mental, physical, or
 29 11 emotional challenges in order for the children to remain in a
 29 12 home or family setting.

Requires that \$350,000 of the Child Care appropriation be transferred
 to Polk County to support child care center services for children with
 various special needs.

29 13 9. Notwithstanding section 8.33, moneys appropriated in
 29 14 this section or received from the federal appropriations made
 29 15 for the purposes of this section that remain unencumbered or
 29 16 unobligated at the close of the fiscal year shall not revert
 29 17 to any fund but shall remain available for expenditure for the
 29 18 purposes designated until the close of the succeeding fiscal
 29 19 year.

CODE: Requires nonreversion of FY 2009 Child Care Assistance
 Program funds.

29 20 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated
 29 21 from the general fund of the state to the department of human
 29 22 services for the fiscal year beginning July 1, 2008, and
 29 23 ending June 30, 2009, the following amounts, or so much
 29 24 thereof as is necessary, to be used for the purposes
 29 25 designated:

29 26 1. For operation of the Iowa juvenile home at Toledo and
 29 27 for salaries, support, and maintenance, and for not more than
 29 28 the following full-time equivalent positions:
 29 29 \$ 7,579,484
 29 30 FTEs 126.00

General Fund appropriation to the DHS for the Juvenile Home at
 Toledo.

DETAIL: Maintains current level of General Fund and FTE support.

29 31	2. For operation of the state training school at Eldora	General Fund appropriation to the DHS for the State Training School at Eldora.
29 32	and for salaries, support, and maintenance, and for not more	
29 33	than the following full-time equivalent positions:	
29 34	..... \$ 11,948,327	DETAIL: Maintains current level of General Fund and FTE support.
29 35	..... FTEs 202.70	
30 1	3. A portion of the moneys appropriated in this section	Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2009.
30 2	shall be used by the state training school and by the Iowa	
30 3	juvenile home for grants for adolescent pregnancy prevention	
30 4	activities at the institutions in the fiscal year beginning	DETAIL: This requirement was also required in FY 2008.
30 5	July 1, 2008.	
30 6	Sec. 16. CHILD AND FAMILY SERVICES.	General Fund appropriation to the DHS for Child and Family Services.
30 7	1. There is appropriated from the general fund of the	
30 8	state to the department of human services for the fiscal year	DETAIL: This is a net increase of \$26,245 compared to the estimated FY 2008 appropriation. The change includes:
30 9	beginning July 1, 2008, and ending June 30, 2009, the	
30 10	following amount, or so much thereof as is necessary, to be	
30 11	used for the purpose designated:	
30 12	For child and family services:	
30 13	..... \$ 88,546,565	<ul style="list-style-type: none"> • An increase of \$200,000 to replace FY 2007 carryforward for the Juvenile Drug Court Program. • An increase of \$1,161,825 for family foster care caseloads. • An increase of \$123,394 for changes to federal funding. • An increase of \$1,459,309 to transfer expenditures from the Adoption Subsidy Program. • An increase of \$324,873 to maintain the foster care subsidy rates. • An increase of \$40,725 to maintain the Preparation for Adult Living Services (PALS) subsidy rates. • A decrease of \$210,000 to eliminate the one-time FY 2008 transfer to the Mental Health Risk Pool. • A decrease of \$761,941 to utilize boot camp funding in a manner eligible for federal Title IV-E funding. • A decrease of \$51,500 to eliminate the nine-county family treatment grant. • A decrease of \$152,440 to eliminate the mediation pilot project. • A decrease of \$1,000,000 to reformulate the shelter care beds funding. • A decrease of \$3,605,000 to retain the decategorization funding that would revert to the General Fund.

- An increase of \$80,000 for the Linn County Runaway Program. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$418,000 for the Community Partnerships for Children Transitional Funding. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$375,000 for minority youth and family projects within child welfare redesign.
- An increase of \$300,000 for the State Match for the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$1,324,000 for Group Care. This was funded in FY 2008 from the Juvenile Detention Fund.

30 14 2. In order to address a reduction of \$5,200,000 from the
 30 15 amount allocated under the appropriation made for the purposes
 30 16 of this section in prior years for purposes of juvenile
 30 17 delinquent graduated sanction services, up to \$5,200,000 of
 30 18 the amount of federal temporary assistance for needy families
 30 19 block grant funding appropriated in this division of this Act
 30 20 for child and family services shall be made available for
 30 21 purposes of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 in Temporary Assistance to Needy Families (TANF) funds for delinquency programs.

DETAIL: Maintains current allocation level.

30 22 3. The department may transfer funds appropriated in this
 30 23 section as necessary to pay the nonfederal costs of services
 30 24 reimbursed under the medical assistance program or the family
 30 25 investment program which are provided to children who would
 30 26 otherwise receive services paid under the appropriation in
 30 27 this section. The department may transfer funds appropriated
 30 28 in this section to the appropriations in this division of this
 30 29 Act for general administration and for field operations for
 30 30 resources necessary to implement and operate the services
 30 31 funded in this section.

Permits the DHS to transfer funds appropriated for Child and Family Services to Medicaid, the Family Investment Program (FIP), General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

30 32 4. a. Of the funds appropriated in this section, up to
 30 33 \$36,441,744 is allocated as the statewide expenditure target

Allocates up to \$36,441,744 for group care services and maintenance costs.

30 34 under section 232.143 for group foster care maintenance and
30 35 services.

DETAIL: This is an increase of \$525,217 compared to the FY 2008 allocation. Of these funds, \$1,324,000 is new within this General Fund allocation for FY 2009. In FY 2008, \$1,324,000 was originally allocated from the Juvenile Detention Fund for group care.

31 1 b. If at any time after September 30, 2008, annualization
31 2 of a service area's current expenditures indicates a service
31 3 area is at risk of exceeding its group foster care expenditure
31 4 target under section 232.143 by more than 5 percent, the
31 5 department and juvenile court services shall examine all group
31 6 foster care placements in that service area in order to
31 7 identify those which might be appropriate for termination. In
31 8 addition, any aftercare services believed to be needed for the
31 9 children whose placements may be terminated shall be
31 10 identified. The department and juvenile court services shall
31 11 initiate action to set dispositional review hearings for the
31 12 placements identified. In such a dispositional review
31 13 hearing, the juvenile court shall determine whether needed
31 14 aftercare services are available and whether termination of
31 15 the placement is in the best interest of the child and the
31 16 community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

31 17 5. In accordance with the provisions of section 232.188,
31 18 the department shall continue the child welfare and juvenile
31 19 justice funding initiative. Of the funds appropriated in this
31 20 section, \$2,605,000 is allocated specifically for expenditure
31 21 through the decategorization service funding pools and
31 22 governance boards established pursuant to section 232.188. In
31 23 addition, up to \$1,000,000 of the amount of federal temporary
31 24 assistance for needy families block grant funding appropriated
31 25 in this division of this Act for child and family services
31 26 shall be made available for purposes of the decategorization
31 27 initiative as provided in this subsection.

Allocates \$2,605,000 from the General Fund appropriation for decategorization services. Also, allocates up to \$1,000,000 in TANF funds for this purpose.

31 28 6. A portion of the funds appropriated in this section may
31 29 be used for emergency family assistance to provide other
31 30 resources required for a family participating in a family
31 31 preservation or reunification project or successor project to
31 32 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

31 33 7. Notwithstanding section 234.35 or any other provision
31 34 of law to the contrary, state funding for shelter care shall
31 35 be limited to \$7,072,215. The department shall work with the
32 1 coalition for children and family services in Iowa and other
32 2 representatives of shelter care providers to reduce the number
32 3 of guaranteed shelter beds and shift a portion of available
32 4 funding to develop new or expand existing emergency services
32 5 for children who might otherwise be served in shelter care.
32 6 The emergency services shall use shelter care agencies and may
32 7 include mobile crisis response units for child and family
32 8 crises, in-home supervision services, emergency family foster
32 9 care homes, expanding capacity to provide emergency services
32 10 in other family foster care homes, or provide flexible funding
32 11 for emergency services based on evidence-based practices.

CODE: Places a State funding limitation of \$7,072,215 for shelter care. Requires the DHS and the Coalition for Children and Family Services and other providers to develop emergency services in lieu of shelter care.

DETAIL: This is a new provision for FY 2009. For FY 2008, funding was provided for a specific number of shelter care beds whether the beds were utilized or not.

32 12 8. Federal funds received by the state during the fiscal
32 13 year beginning July 1, 2008, as the result of the expenditure
32 14 of state funds appropriated during a previous state fiscal
32 15 year for a service or activity funded under this section are
32 16 appropriated to the department to be used as additional
32 17 funding for services and purposes provided for under this
32 18 section. Notwithstanding section 8.33, moneys received in
32 19 accordance with this subsection that remain unencumbered or
32 20 unobligated at the close of the fiscal year shall not revert
32 21 to any fund but shall remain available for the purposes
32 22 designated until the close of the succeeding fiscal year.

CODE: Requires that federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds into FY 2010.

32 23 9. Of the funds appropriated in this section, \$3,696,285
32 24 shall be used for protective child care assistance.

Requires \$3,696,285 to be used for protective child care assistance.

DETAIL: Maintains current allocation level.

32 25 10. a. Of the funds appropriated in this section, up to
32 26 \$2,268,963 is allocated for the payment of the expenses of
32 27 court=ordered services provided to juveniles who are under the
32 28 supervision of juvenile court services, which expenses are a
32 29 charge upon the state pursuant to section 232.141, subsection
32 30 4. Of the amount allocated in this lettered paragraph, up to
32 31 \$1,556,287 shall be made available to provide school=based
32 32 supervision of children adjudicated under chapter 232, of
32 33 which not more than \$15,000 may be used for the purpose of
32 34 training. A portion of the cost of each school=based liaison
32 35 officer shall be paid by the school district or other funding
33 1 source as approved by the chief juvenile court officer.
33 2 b. Of the funds appropriated in this section, up to
33 3 \$823,965 is allocated for the payment of the expenses of
33 4 court=ordered services provided to children who are under the
33 5 supervision of the department, which expenses are a charge
33 6 upon the state pursuant to section 232.141, subsection 4.

33 7 c. Notwithstanding section 232.141 or any other provision
33 8 of law to the contrary, the amounts allocated in this
33 9 subsection shall be distributed to the judicial districts as
33 10 determined by the state court administrator and to the
33 11 department's service areas as determined by the administrator
33 12 of the department's division of child and family services.
33 13 The state court administrator and the division administrator
33 14 shall make the determination of the distribution amounts on or
33 15 before June 15, 2008.

33 16 d. Notwithstanding chapter 232 or any other provision of
33 17 law to the contrary, a district or juvenile court shall not
33 18 order any service which is a charge upon the state pursuant to
33 19 section 232.141 if there are insufficient court=ordered

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,268,963 for court-ordered services provided to children that are under the supervision of juvenile court services.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts.
- Allocates \$823,965 for court-ordered services provided to children that are under the supervision of the Department of Human Services.

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2008.

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

33 20 services funds available in the district court or departmental
33 21 service area distribution amounts to pay for the service. The
33 22 chief juvenile court officer and the departmental service area
33 23 manager shall encourage use of the funds allocated in this
33 24 subsection such that there are sufficient funds to pay for all
33 25 court-related services during the entire year. The chief
33 26 juvenile court officers and departmental service area managers
33 27 shall attempt to anticipate potential surpluses and shortfalls
33 28 in the distribution amounts and shall cooperatively request
33 29 the state court administrator or division administrator to
33 30 transfer funds between the judicial districts' or departmental
33 31 service areas' distribution amounts as prudent.

33 32 e. Notwithstanding any provision of law to the contrary, a
33 33 district or juvenile court shall not order a county to pay for
33 34 any service provided to a juvenile pursuant to an order
33 35 entered under chapter 232 which is a charge upon the state
34 1 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

34 2 f. Of the funds allocated in this subsection, not more
34 3 than \$100,000 may be used by the judicial branch for
34 4 administration of the requirements under this subsection.

Specifies that not more than \$100,000 may be used by the Judicial Branch for administration related to court-ordered services.

34 5 11. Of the funds appropriated in this section, \$1,030,000
34 6 shall be transferred to the department of public health to be
34 7 used for the child protection center grant program in
34 8 accordance with section 135.118.

Requires an allocation of \$1,030,000 to be transferred to the Department of Public Health for a Child Protection Center Grant Program.

DETAIL: Maintains current level of funding.

34 9 12. If the department receives federal approval to
34 10 implement a waiver under Title IV-E of the federal Social
34 11 Security Act to enable providers to serve children who remain
34 12 in the children's families and communities, for purposes of
34 13 eligibility under the medical assistance program children who

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

34 14 participate in the waiver shall be considered to be placed in
34 15 foster care.

34 16 13. Of the funds appropriated in this section, \$3,072,164
34 17 is allocated for the preparation for adult living program
34 18 pursuant to section 234.46.

Allocates \$3,072,164 for the Preparation for Adult Living Services (PALS) Program.

DETAIL: This is an increase of \$40,725 compared to the FY 2008 allocation to reflect the increase in the United States Department of Agriculture average costs to raise a child.

34 19 14. Of the funds appropriated in this section, \$1,030,000
34 20 shall be used for juvenile drug courts. The amount allocated
34 21 in this subsection shall be distributed as follows:

34 22 a. To the judicial branch for salaries to assist with the
34 23 operation of juvenile drug court programs operated in the
34 24 following jurisdictions:

34 25 (1) Marshall county:

34 26 \$ 61,800

34 27 (2) Woodbury county:

34 28 \$ 123,862

34 29 (3) Polk county:

34 30 \$ 193,057

34 31 (4) The third judicial district:

34 32 \$ 66,950

34 33 (5) The eighth judicial district:

34 34 \$ 66,950

34 35 b. For court-ordered services to support substance abuse
35 1 services provided to the juveniles participating in the
35 2 juvenile drug court programs listed in paragraph "a" and the
35 3 juveniles' families:

35 4 \$ 517,381

35 5 The state court administrator shall allocate the funding
35 6 designated in this paragraph among the programs.

Allocates a total of \$1,030,000 for juvenile drug courts. Of this amount, a total of \$512,619 is allocated for Judicial Branch staff costs, and \$517,381 is allocated for juvenile drug court services for juveniles and their families.

DETAIL: This is an increase of \$200,000 compared to estimated FY 2008 to replace one-time FY 2007 carryforward funds.

35 7 15. Of the funds appropriated in this section, \$203,000 is
35 8 allocated for the multidimensional treatment level foster care

Allocates \$203,000 for the Multi-Dimensional Foster Care Treatment Level Program.

35 9 program established pursuant to 2006 Iowa Acts, chapter 1123.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

35 10 16. Of the funds appropriated in this section, \$236,900
35 11 shall be used for a grant to a nonprofit human services
35 12 organization providing services to individuals and families in
35 13 multiple locations in southwest Iowa and Nebraska for support
35 14 of a project providing immediate, sensitive support and
35 15 forensic interviews, medical exams, needs assessments, and
35 16 referrals for victims of child abuse and their nonoffending
35 17 family members.

Requires an allocation of \$236,900 for Project Harmony.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

35 18 17. Of the funds appropriated in this section, \$120,000 is
35 19 allocated for the elevate approach of providing a support
35 20 network to children placed in foster care.

Requires an allocation of \$120,000 to provide support for chapters for the Elevate support group for foster care children.

DETAIL: Maintains the allocation level.

35 21 18. Of the funds appropriated in this section, \$300,000 is
35 22 allocated for sibling visitation provisions for children
35 23 subject to a court order for out-of-home placement in
35 24 accordance with section 232.108.

Requires an allocation of \$300,000 to implement mandatory sibling visitation for children in foster care.

DETAIL: Maintains the current allocation level.

35 25 19. Of the funds appropriated in this section, \$200,000 is
35 26 allocated for use pursuant to section 235A.1 for the
35 27 initiative to address child sexual abuse implemented pursuant
35 28 to 2007 Iowa Acts, ch. 218, section 18, subsection 21.

Allocates \$200,000 for an initiative to address child sexual abuse.

DETAIL: Maintains the current allocation level.

35 29 20. Of the funds appropriated in this section, \$80,000 is
35 30 allocated for renewal of a grant to a county with a population
35 31 between 189,000 and 196,000 in the latest preceding certified
35 32 federal census for implementation of the county's runaway
35 33 treatment plan under section 232.195.

Allocates \$80,000 for a Linn County Juvenile Runaway Program.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

35 34 21. Of the funds appropriated in this section, \$418,000 is

Allocates \$418,000 for the child welfare Community Partnership for

35 35 allocated for the community partnership for child protection
36 1 sites.

Child Protection sites.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

36 2 22. Of the funds appropriated in this section, \$375,000 is
36 3 allocated for the department's minority youth and family
36 4 projects under the redesign of the child welfare system.

Allocates \$375,000 for minority youth and family projects within child welfare redesign.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 this was funded from the Juvenile Detention Fund.

36 5 23. Of the funds appropriated in this section, \$300,000 is
36 6 allocated for funding of the state match for the federal
36 7 substance abuse and mental health services administration
36 8 (SAMHSA) system of care grant.

Allocates \$300,000 for the State match for the federal Substance Abuse and Mental Health Services Administration system of care grant.

DETAIL: This is a new General Fund allocation in FY 2009. In FY 2008 and FY 2007, this was funded from the Juvenile Detention Fund. For FY 2008, the original allocation from that Fund was \$400,000 and is reduced in this Bill to \$300,000.

36 9 24. The department shall develop options for providing a
36 10 growth mechanism for reimbursement of the child and family
36 11 services traditionally funded under this appropriation. The
36 12 growth mechanism options may provide for a tie to allowable
36 13 growth for school aid, an inflationary adjustment reflective
36 14 of the cost increases for the services, or other reasonable
36 15 proxy for the cost increases affecting such service providers.

Requires the DHS to develop a proposed funding growth mechanism for child welfare services.

36 16 Sec. 17. ADOPTION SUBSIDY.

General Fund appropriation to the DHS for the Adoption Subsidy Program.

36 17 1. There is appropriated from the general fund of the
36 18 state to the department of human services for the fiscal year
36 19 beginning July 1, 2008, and ending June 30, 2009, the
36 20 following amount, or so much thereof as is necessary, to be
36 21 used for the purpose designated:

DETAIL: This is an increase of \$596,191 compared to the estimated FY 2008 appropriation. The increase includes:

36 22 For adoption subsidy payments and services:

- An increase of \$2,000,000 to replace one-time FY 2008

36 23 \$ 32,568,872

carryforward funding.

- A decrease of \$1,459,309 to reflect the transfer to the Child and Family Services budget unit.
- An increase of \$378,371 for the increases in the USDA average costs to raise a child.
- A decrease of \$322,871 for the change to the Federal Medical Assistance Percentage (FMAP) rate.

36 24 2. The department may transfer funds appropriated in this
36 25 section to the appropriations in this Act for child and family
36 26 services to be used for adoptive family recruitment and other
36 27 services to achieve adoption.

Permits the DHS to transfer funds for adoption recruitment and services.

36 28 3. Federal funds received by the state during the fiscal
36 29 year beginning July 1, 2008, as the result of the expenditure
36 30 of state funds during a previous state fiscal year for a
36 31 service or activity funded under this section are appropriated
36 32 to the department to be used as additional funding for the
36 33 services and activities funded under this section.
36 34 Notwithstanding section 8.33, moneys received in accordance
36 35 with this subsection that remain unencumbered or unobligated
37 1 at the close of the fiscal year shall not revert to any fund
37 2 but shall remain available for expenditure for the purposes
37 3 designated until the close of the succeeding fiscal year.

CODE: Requires federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2009.

37 4 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited
37 5 in the juvenile detention home fund created in section 232.142
37 6 during the fiscal year beginning July 1, 2008, and ending June
37 7 30, 2009, are appropriated to the department of human services
37 8 for the fiscal year beginning July 1, 2008, and ending June
37 9 30, 2009, for distribution of an amount equal to a percentage
37 10 of the costs of the establishment, improvement, operation, and
37 11 maintenance of county or multicounty juvenile detention homes
37 12 in the fiscal year beginning July 1, 2007. Moneys
37 13 appropriated for distribution in accordance with this section
37 14 shall be allocated among eligible detention homes, prorated on

CODE: Requires funds deposited in the Juvenile Detention Home Fund to be distributed to the Juvenile Detention Centers.

DETAIL: It is estimated that the fines that are deposited into the Fund will be \$3,734,068 in FY 2009. Using the estimated FY 2008 budgets of the Juvenile Detention Centers, these revenues are expected to provide 17.38% of the planned expenditures of the Centers. This percentage may increase if the FY 2008 actual expenditures are less than the budgeted amounts of the Centers or if FY 2009 revenues are greater than estimated.

37 15 the basis of an eligible detention home's proportion of the
 37 16 costs of all eligible detention homes in the fiscal year
 37 17 beginning July 1, 2007. The percentage figure shall be
 37 18 determined by the department based on the amount available for
 37 19 distribution for the fund. Notwithstanding section 232.142,
 37 20 subsection 3, the financial aid payable by the state under
 37 21 that provision for the fiscal year beginning July 1, 2008,
 37 22 shall be limited to the amount appropriated for the purposes
 37 23 of this section.

37 24 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.

General Fund appropriation for the Family Support Program.

37 25 1. There is appropriated from the general fund of the
 37 26 state to the department of human services for the fiscal year
 37 27 beginning July 1, 2008, and ending June 30, 2009, the
 37 28 following amount, or so much thereof as is necessary, to be
 37 29 used for the purpose designated:

DETAIL: Maintains current level of General Fund support.

37 30 For the family support subsidy program:

37 31 \$ 1,936,434

37 32 2. The department shall use at least \$433,212 of the
 37 33 moneys appropriated in this section for the family support
 37 34 center component of the comprehensive family support program
 37 35 under section 225C.47. Not more than \$20,000 of the amount
 38 1 allocated in this subsection shall be used for administrative
 38 2 costs.

Requires an allocation of \$433,312 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$20,000.

DETAIL: This is an increase of \$100,000 compared to the FY 2008 allocation.

38 3 Sec. 20. CONNER DECREE. There is appropriated from the
 38 4 general fund of the state to the department of human services
 38 5 for the fiscal year beginning July 1, 2008, and ending June
 38 6 30, 2009, the following amount, or so much thereof as is
 38 7 necessary, to be used for the purpose designated:
 38 8 For building community capacity through the coordination
 38 9 and provision of training opportunities in accordance with the
 38 10 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: Maintains current level of General Fund support. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

38 11 Iowa, July 14, 1994):

38 12 \$ 42,623

38 13 Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated
 38 14 from the general fund of the state to the department of human
 38 15 services for the fiscal year beginning July 1, 2008, and
 38 16 ending June 30, 2009, the following amounts, or so much
 38 17 thereof as is necessary, to be used for the purposes
 38 18 designated:

38 19 1. For the state mental health institute at Cherokee for
 38 20 salaries, support, maintenance, and miscellaneous purposes,
 38 21 and for not more than the following full=time equivalent
 38 22 positions:

38 23 \$ 5,727,743

38 24 FTEs 210.00

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: Maintains current level of General Fund support and a decrease of 4.50 FTE positions.

38 25 2. For the state mental health institute at Clarinda for
 38 26 salaries, support, maintenance, and miscellaneous purposes,
 38 27 and for not more than the following full=time equivalent
 38 28 positions:

38 29 \$ 7,023,073

38 30 FTEs 109.95

General Fund appropriation to the Mental Health Institute at Clarinda.

DETAIL: Maintains current level of General Fund support and FTE positions.

38 31 3. For the state mental health institute at Independence
 38 32 for salaries, support, maintenance, and miscellaneous
 38 33 purposes, and for not more than the following full=time
 38 34 equivalent positions:

38 35 \$ 10,495,879

39 1 FTEs 287.66

General Fund appropriation to the Mental Health Institute at Independence.

DETAIL: This is an increase of \$6,155 to reflect the appropriate FMAP rate and no change in FTE positions.

39 2 4. For the state mental health institute at Mount Pleasant
 39 3 for salaries, support, maintenance, and miscellaneous
 39 4 purposes, and for not more than the following full=time

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

PG LN	LSB5002S	Explanation
39 5	equivalent positions:	DETAIL: This is a decrease of \$2,378 to reflect the appropriate FMAP rate and no change in FTE positions.
39 6	..... \$ 1,874,721	
39 7	..... FTEs 116.44	
39 8	Sec. 22. STATE RESOURCE CENTERS.	
39 9	1. There is appropriated from the general fund of the	
39 10	state to the department of human services for the fiscal year	
39 11	beginning July 1, 2008, and ending June 30, 2009, the	
39 12	following amounts, or so much thereof as is necessary, to be	
39 13	used for the purposes designated:	
39 14	a. For the state resource center at Glenwood for salaries,	General Fund appropriation to the State Resource Center at Glenwood.
39 15	support, maintenance, and miscellaneous purposes:	
39 16	..... \$ 17,102,330	DETAIL: This is a decrease of \$1,900,047 and no change in FTE positions compared to the FY 2008 appropriation. Major increases and decreases include:
		<ul style="list-style-type: none"> • A decrease of \$171,308 to reflect the appropriate FMAP rate. • A decrease of \$1,893,008 to reconcile salary adjustment. • An increase of \$164,269 to replace revenues for the loss of two homes.
		The FTE positions are not capped in the Bill. The tracking document attached to this NOBA estimates the number of FTE positions.
39 17	b. For the state resource center at Woodward for salaries,	General Fund appropriation to the State Resource Center at Woodward.
39 18	support, maintenance, and miscellaneous purposes:	
39 19	..... \$ 11,266,164	DETAIL: This is a decrease of \$1,772,669 and no change in FTE positions compared to the FY 2008 appropriation. Major increases and decreases include:
		<ul style="list-style-type: none"> • A decrease of \$122,545 to reflect the appropriate FMAP rate. • A decrease of \$1,823,770 to reconcile salary adjustment. • An increase of \$173,646 to replace revenues for the loss of two homes.

The FTE positions are not capped in the Bill. The tracking document attached to this NOBA estimates the number of FTE positions.

39 20 2. The department may continue to bill for state resource
39 21 center services utilizing a scope of services approach used
39 22 for private providers of ICFMR services, in a manner which
39 23 does not shift costs between the medical assistance program,
39 24 counties, or other sources of funding for the state resource
39 25 centers.

Permits the DHS to continue billing practices that do not include cost shifting.

39 26 3. The state resource centers may expand the time-limited
39 27 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

39 28 4. If the department's administration and the department
39 29 of management concur with a finding by a state resource
39 30 center's superintendent that projected revenues can reasonably
39 31 be expected to pay the salary and support costs for a new
39 32 employee position, or that such costs for adding a particular
39 33 number of new positions for the fiscal year would be less than
39 34 the overtime costs if new positions would not be added, the
39 35 superintendent may add the new position or positions. If the
40 1 vacant positions available to a resource center do not include
40 2 the position classification desired to be filled, the state
40 3 resource center's superintendent may reclassify any vacant
40 4 position as necessary to fill the desired position. The
40 5 superintendents of the state resource centers may, by mutual
40 6 agreement, pool vacant positions and position classifications
40 7 during the course of the fiscal year in order to assist one

Specifies that additional positions at the two State Resource Centers may be added under certain projections.

40 8 another in filling necessary positions.

40 9 5. If existing capacity limitations are reached in
40 10 operating units, a waiting list is in effect for a service or
40 11 a special need for which a payment source or other funding is
40 12 available for the service or to address the special need, and
40 13 facilities for the service or to address the special need can
40 14 be provided within the available payment source or other
40 15 funding, the superintendent of a state resource center may
40 16 authorize opening not more than two units or other facilities
40 17 and begin implementing the service or addressing the special
40 18 need during fiscal year 2008=2009.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

40 19 Sec. 23. MI/MR/DD STATE CASES.

General Fund appropriation to the DHS for State Cases.

40 20 1. There is appropriated from the general fund of the
40 21 state to the department of human services for the fiscal year
40 22 beginning July 1, 2008, and ending June 30, 2009, the
40 23 following amount, or so much thereof as is necessary, to be
40 24 used for the purpose designated:
40 25 For distribution to counties for state case services for
40 26 persons with mental illness, mental retardation, and
40 27 developmental disabilities in accordance with section 331.440:
40 28 \$ 13,067,178

DETAIL: This is an increase of \$2,000,000 compared to the FY 2008 appropriation for the replacement of carryforward from FY 2007.

40 29 2. For the fiscal year beginning July 1, 2008, and ending
40 30 June 30, 2009, \$200,000 is allocated for state case services
40 31 from the amounts appropriated from the fund created in section
40 32 8.41 to the department of human services from the funds
40 33 received from the federal government under 42 U.S.C., ch. 6A,
40 34 subch. XVII, relating to the community mental health center
40 35 block grant, for the federal fiscal years beginning October 1,
41 1 2006, and ending September 30, 2007, beginning October 1,
41 2 2007, and ending September 30, 2008, and beginning October 1,
41 3 2008, and ending September 30, 2009. The allocation made in
41 4 this subsection shall be made prior to any other distribution
41 5 allocation of the appropriated federal funds.

Requires \$200,000 from the Community Mental Health Services Block Grant funds from FFY 2007, FFY 2008, or FFY 2009 to be used for the State Cases costs.

41 6 3. Notwithstanding section 8.33, moneys appropriated in
 41 7 this section that remain unencumbered or unobligated at the
 41 8 close of the fiscal year shall not revert but shall remain
 41 9 available for expenditure for the purposes designated until
 41 10 the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for State Cases.

41 11 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
 41 12 COMMUNITY SERVICES FUND. There is appropriated from the
 41 13 general fund of the state to the mental health and
 41 14 developmental disabilities community services fund created in
 41 15 section 225C.7 for the fiscal year beginning July 1, 2008, and
 41 16 ending June 30, 2009, the following amount, or so much thereof
 41 17 as is necessary, to be used for the purpose designated:
 41 18 For mental health and developmental disabilities community
 41 19 services in accordance with this division of this Act:
 41 20 \$ 18,017,890

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: Maintains current level of General Fund support.

41 21 1. Of the funds appropriated in this section, \$17,727,890
 41 22 shall be allocated to counties for funding of community-based
 41 23 mental health and developmental disabilities services. The
 41 24 moneys shall be allocated to a county as follows:

Allocates \$17,727,890 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

41 25 a. Fifty percent based upon the county's proportion of the
 41 26 state's population of persons with an annual income which is
 41 27 equal to or less than the poverty guideline established by the
 41 28 federal office of management and budget.

41 29 b. Fifty percent based upon the county's proportion of the
 41 30 state's general population.

41 31 2. a. A county shall utilize the funding the county
 41 32 receives pursuant to subsection 1 for services provided to
 41 33 persons with a disability, as defined in section 225C.2.
 41 34 However, no more than 50 percent of the funding shall be used
 41 35 for services provided to any one of the service populations.

42 1 b. A county shall use at least 50 percent of the funding
 42 2 the county receives under subsection 1 for contemporary

Requires the funds to be used for services to persons with mental illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services.

42 3 services provided to persons with a disability, as described
42 4 in rules adopted by the department.

42 5 3. Of the funds appropriated in this section, \$30,000
42 6 shall be used to support the Iowa compass program providing
42 7 computerized information and referral services for Iowans with
42 8 disabilities and their families.

Allocates \$30,000 to support the Iowa Compass Program. The Program provides computerized information and referral services for Iowans with developmental disabilities and their families.

DETAIL: Maintains current level of General Fund support.

42 9 4. a. Funding appropriated for purposes of the federal
42 10 social services block grant is allocated for distribution to
42 11 counties for local purchase of services for persons with
42 12 mental illness or mental retardation or other developmental
42 13 disability.

Allocates federal funds appropriated in SF 2286 (FFY 2009 Block Grant and Federal Funds Appropriations Bill) from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities.

42 14 b. The funds allocated in this subsection shall be
42 15 expended by counties in accordance with the county's approved
42 16 county management plan. A county without an approved county
42 17 management plan shall not receive allocated funds until the
42 18 county's management plan is approved.

Requires counties to expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved.

42 19 c. The funds provided by this subsection shall be
42 20 allocated to each county as follows:
42 21 (1) Fifty percent based upon the county's proportion of
42 22 the state's population of persons with an annual income which
42 23 is equal to or less than the poverty guideline established by
42 24 the federal office of management and budget.
42 25 (2) Fifty percent based upon the amount provided to the
42 26 county for local purchase of services in the preceding fiscal
42 27 year.

Requires the funds provided in this Subsection to be allocated to each county according to a specified formula.

DETAIL: The formula remains unchanged from the FY 1997 formula.

42 28 5. A county is eligible for funds under this section if
42 29 the county qualifies for a state payment as described in
42 30 section 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

42 31 6. Of the funds appropriated in this section, \$260,000 is
 42 32 allocated to the department for continuing the development of
 42 33 an assessment process for use beginning in a subsequent fiscal
 42 34 year as authorized specifically by a statute to be enacted in
 42 35 a subsequent fiscal year, determining on a consistent basis
 43 1 the needs and capacities of persons seeking or receiving
 43 2 mental health, mental retardation, developmental disabilities,
 43 3 or brain injury services that are paid for in whole or in part
 43 4 by the state or a county. The assessment process shall be
 43 5 developed with the involvement of counties and the mental
 43 6 health, mental retardation, developmental disabilities, and
 43 7 brain injury commission.

Allocates \$260,000 for the DHS to continue development of an assessment process for those receiving services paid from the Community Services Fund.

DETAIL: This is no change from the FY 2008 allocation.

43 8 7. The most recent population estimates issued by the
 43 9 United States bureau of the census shall be applied for the
 43 10 population factors utilized in this section.

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

43 11 Sec. 25. SEXUALLY VIOLENT PREDATORS.

General Fund appropriation to the DHS for the Sexual Predator Commitment Program.

43 12 1. There is appropriated from the general fund of the
 43 13 state to the department of human services for the fiscal year
 43 14 beginning July 1, 2008, and ending June 30, 2009, the
 43 15 following amount, or so much thereof as is necessary, to be
 43 16 used for the purpose designated:
 43 17 For costs associated with the commitment and treatment of
 43 18 sexually violent predators in the unit located at the state
 43 19 mental health institute at Cherokee, including costs of legal
 43 20 services and other associated costs, including salaries,
 43 21 support, maintenance, and miscellaneous purposes, and for not
 43 22 more than the following full-time equivalent positions:
 43 23 \$ 6,492,008
 43 24 FTEs 94.50

DETAIL: This is a decrease of \$31,516 for an adjustment in per diem at the Cherokee MHI and a decrease of 0.65 FTE position.

43 25 2. Unless specifically prohibited by law, if the amount
 43 26 charged provides for recoupment of at least the entire amount
 43 27 of direct and indirect costs, the department of human services

Permits the Unit for Commitment of Sexually Violent Predators to accept out-of-state clients when the entire cost is reimbursed.

43 28 may contract with other states to provide care and treatment
 43 29 of persons placed by the other states at the unit for sexually
 43 30 violent predators at Cherokee. The moneys received under such
 43 31 a contract shall be considered to be repayment receipts and
 43 32 used for the purposes of the appropriation made in this
 43 33 section.

43 34 Sec. 26. FIELD OPERATIONS. There is appropriated from the
 43 35 general fund of the state to the department of human services
 44 1 for the fiscal year beginning July 1, 2008, and ending June
 44 2 30, 2009, the following amount, or so much thereof as is
 44 3 necessary, to be used for the purposes designated:
 44 4 For field operations, including salaries, support,
 44 5 maintenance, and miscellaneous purposes, and for not more than
 44 6 the following full-time equivalent positions:
 44 7 \$ 66,852,732
 44 8 FTEs 2,130.68

44 9 Priority in filling full-time equivalent positions shall be
 44 10 given to those positions related to child protection services.

44 11 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
 44 12 from the general fund of the state to the department of human
 44 13 services for the fiscal year beginning July 1, 2008, and
 44 14 ending June 30, 2009, the following amount, or so much thereof
 44 15 as is necessary, to be used for the purpose designated:
 44 16 For general administration, including salaries, support,
 44 17 maintenance, and miscellaneous purposes, and for not more than
 44 18 the following full-time equivalent positions:
 44 19 \$ 16,782,067
 44 20 FTEs 407.50

General Fund appropriation to the DHS for Field Operations staff and support.

DETAIL: This is an increase of \$297,645 and 83.97 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$1,078,207 to restore various carryforwards from FY 2007.
- An increase of \$385,674 to restore the one-time FY 2007 transfer to the Children's Mental Health waiver waiting list.
- A decrease of \$1,166,236 for FY 2008 funds carried forward to FY 2009.
- An increase of 83.97 FTEs to reflect expected utilization.

Requires that priority be given to child protection services when filling FTE positions.

DETAIL: This requirement was in place for FY 2008.

General Fund appropriation to the DHS for General Administration.

DETAIL: This is a decrease of \$639 and an increase of 54.50 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$107,260 for technology funds transferred from other budget units.
- A decrease of \$100,000 for a transfer to the Department of Human Rights that was item vetoed in FY 2008.
- A decrease of \$107,899 for funds to carryforward from FY 2008

		to FY 2009.
		<ul style="list-style-type: none"> • An increase of \$50,000 for the start-up costs relating to preparation for additional services for children's mental health services. • An increase of \$50,000 for the start-up costs relating to preparation for additional emergency mental health services. • An increase of 49.50 FTE positions to reflect expected utilization. • An increase of 5.00 FTE positions due to the transfer of FTE positions from the funding provided from the Senior Living Trust Fund.
44 21	1. Of the funds appropriated in this section, \$57,000 is	Allocates \$57,000 to the Prevention of Disabilities Policy Council.
44 22	allocated for the prevention of disabilities policy council	
44 23	established in section 225B.3.	DETAIL: Maintains current level of General Fund support.
44 24	2. If legislation is enacted providing for the department	Requires the DHS to initiate the process for implementation of
44 25	to implement an emergency mental health crisis services system	emergency mental health crisis services and mental health services
44 26	or a mental health services system for children and youth	for children and youth if the General Assembly enacts legislation.
44 27	through competitive bidding processes, the department shall	Permits the DHS to use \$50,000 for each of the systems from the
44 28	begin the request for proposals and rules adoption processes	General Administration appropriation.
44 29	so that implementation of the system or systems may	
44 30	expeditiously begin on or after July 1, 2009. Of the amount	DETAIL: This is a new allocation for FY 2009.
44 31	appropriated in this section, the department may use up to	
44 32	\$50,000 each for the planning and development costs to begin	
44 33	the two systems in the fiscal year beginning July 1, 2009.	
44 34	Sec. 28. VOLUNTEERS. There is appropriated from the	General Fund appropriation to the DHS for the development and
44 35	general fund of the state to the department of human services	coordination of the Volunteer Services Program.
45 1	for the fiscal year beginning July 1, 2008, and ending June	
45 2	30, 2009, the following amount, or so much thereof as is	DETAIL: Maintains current level of General Fund funding.
45 3	necessary, to be used for the purpose designated:	
45 4	For development and coordination of volunteer services:	
45 5	..... \$ 109,568	
45 6	Sec. 29. FAMILY PLANNING SERVICES. There is appropriated	General Fund appropriation to the DHS for Family Planning Services.

45 7 from the general fund of the state to the department of human
45 8 services for the fiscal year beginning July 1, 2008, and
45 9 ending June 30, 2009, the following amount or so much thereof
45 10 as is necessary, to be used for the purpose designated:
45 11 For family planning services to individuals who are not
45 12 currently receiving the specific benefit under the medical
45 13 assistance program:
45 14 \$ 750,000
45 15 Moneys appropriated under this section shall not be used to
45 16 provide abortions. The department shall work with appropriate
45 17 stakeholders to implement and administer the program.

DETAIL: This is a new appropriation for FY 2009.

45 18 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
45 19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER
THE
45 20 DEPARTMENT OF HUMAN SERVICES.

45 21 1. a. (1) For the fiscal year beginning July 1, 2008,
45 22 the total state funding amount for the nursing facility budget
45 23 shall not exceed \$183,367,323.
45 24 (2) The department, in cooperation with nursing facility
45 25 representatives, shall review projections for state funding
45 26 expenditures for reimbursement of nursing facilities on a
45 27 quarterly basis and the department shall determine if an
45 28 adjustment to the medical assistance reimbursement rate is
45 29 necessary in order to provide reimbursement within the state
45 30 funding amount. Any temporary enhanced federal financial
45 31 participation that may become available to the Iowa medical
45 32 assistance program during the fiscal year shall not be used in
45 33 projecting the nursing facility budget. Notwithstanding 2001
45 34 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
45 35 "c", and subsection 3, paragraph "a", subparagraph (2), if the
46 1 state funding expenditures for the nursing facility budget for
46 2 the fiscal year beginning July 1, 2008, are projected to
46 3 exceed the amount specified in subparagraph (1), the
46 4 department shall adjust the reimbursement for nursing

Caps nursing facility reimbursements at \$183,367,323 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap.

DETAIL: This is a decrease of \$750,000 compared to the FY 2008 cap. The decrease reflects the reduction in the nursing facility accountability payment.

46 5 facilities reimbursed under the case=mix reimbursement system
46 6 to maintain expenditures of the nursing facility budget within
46 7 the specified amount. The department shall revise such
46 8 reimbursement as necessary to adjust the annual accountability
46 9 measures payment in accordance with the amendment in this
46 10 division of this Act to 2001 Iowa Acts, chapter 192, section
46 11 4, subsection 4.

46 12 b. For the fiscal year beginning July 1, 2008, the
46 13 department shall reimburse pharmacy dispensing fees using a
46 14 single rate of \$4.52 per prescription or the pharmacy's usual
46 15 and customary fee, whichever is lower.

Specifies the reimbursement rate for pharmacist services using a single dispensing fee of \$4.52 per prescription or the usual and customary fee, whichever is lower.

DETAIL: Maintains the FY 2008 reimbursement rate.

46 16 c. (1) For the fiscal year beginning July 1, 2008,
46 17 reimbursement rates for inpatient and outpatient hospital
46 18 services shall remain at the rates in effect on June 30, 2008.
46 19 The department shall continue the outpatient hospital
46 20 reimbursement system based upon ambulatory patient groups
46 21 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
46 22 25, subsection 1, paragraph "f", unless the department adopts
46 23 the Medicare ambulatory payment classification methodology
46 24 authorized in subparagraph (2).

Requires the rate of reimbursement for inpatient and outpatient hospital services to remain the same as the FY 2008 reimbursement rates, and requires continuation of the outpatient reimbursement system utilizing Ambulatory Patient Groups implemented in FY 1995. Requires the DHS to continue the revised payment policy relating to screening and treatment provided in hospital emergency waiting rooms. Specifies that any rebasing of rates will not increase total payments for services.

46 25 (2) The department may implement the Medicare ambulatory
46 26 payment classification methodology for reimbursement of
46 27 outpatient hospital services. Any change in hospital
46 28 reimbursement shall be budget neutral.

46 29 (3) In order to ensure the efficient use of limited state
46 30 funds in procuring health care services for low=income Iowans,
46 31 funds appropriated in this Act for hospital services shall not
46 32 be used for activities which would be excluded from a
46 33 determination of reasonable costs under the federal Medicare
46 34 program pursuant to 42 U.S.C. 1395X(v)(1)(N).

Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.

46 35 d. For the fiscal year beginning July 1, 2008,

Requires rural health clinics, hospice services, and acute mental

47 1 reimbursement rates for rural health clinics, hospices, 47 2 independent laboratories, and acute mental hospitals shall be 47 3 increased in accordance with increases under the federal 47 4 Medicare program or as supported by their Medicare audited 47 5 costs.	hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2009.
47 6 e. (1) For the fiscal year beginning July 1, 2008, 47 7 reimbursement rates for home health agencies shall remain at 47 8 the rates in effect on June 30, 2008, not to exceed a home 47 9 health agency's actual allowable cost.	Requires rates to home health agencies to remain at the rate in effect June 30, 2008.
47 10 (2) The department shall establish a fixed fee 47 11 reimbursement schedule for home health agencies under the 47 12 medical assistance program beginning July 1, 2008.	Requires the DHS to establish a fixed-fee reimbursement schedule for home health services beginning in FY 2009.
47 13 f. For the fiscal year beginning July 1, 2008, federally 47 14 qualified health centers shall receive cost-based 47 15 reimbursement for 100 percent of the reasonable costs for the 47 16 provision of services to recipients of medical assistance.	Requires the DHS to reimburse federally qualified health centers 100.00% of reasonable costs for the provision of services to Medical Assistance Program recipients.
47 17 g. For the fiscal year beginning July 1, 2008, the 47 18 reimbursement rates for dental services shall remain at the 47 19 rates in effect on June 30, 2008.	Requires the FY 2009 reimbursement rates for dental services to remain at the rate in effect June 30, 2008.
47 20 h. For the fiscal year beginning July 1, 2008, the maximum 47 21 reimbursement rate for psychiatric medical institutions for 47 22 children shall be \$160.71 per day.	<p>Sets the FY 2009 reimbursement rate for psychiatric medical institutions for children (PMICs) at \$160.71 per day.</p> <p>DETAIL: This is a decrease of \$4.82 in the maximum per day rate compared to FY 2008. Additional funds will be available with statutory language in the Bill requiring third party payers to pay for services for certain biologically-based conditions of children.</p>
47 23 i. For the fiscal year beginning July 1, 2008, unless	Requires the FY 2009 reimbursement rates for all non-institutional Medical Assistance providers, with specified exceptions, to remain at

47 24 otherwise specified in this Act, all noninstitutional medical	the rate in effect June 30, 2008.
47 25 assistance provider reimbursement rates shall remain at the	
47 26 rates in effect on June 30, 2008, except for area education	
47 27 agencies, local education agencies, infant and toddler	
47 28 services providers, and those providers whose rates are	
47 29 required to be determined pursuant to section 249A.20.	
47 30 j. Notwithstanding section 249A.20, for the fiscal year	CODE: Requires the FY 2009 rates for health providers eligible for
47 31 beginning July 1, 2008, the average reimbursement rate for	average rate reimbursement to remain at the rate in effect June 30,
47 32 health care providers eligible for use of the federal Medicare	2008.
47 33 resource-based relative value scale reimbursement methodology	
47 34 under that section shall remain at the rate in effect on June	
47 35 30, 2008; however, this rate shall not exceed the maximum	
48 1 level authorized by the federal government.	
48 2 k. For the fiscal year beginning July 1, 2008, the	Requires the reimbursement rates for residential care facilities to be
48 3 reimbursement rate for residential care facilities shall not	no less than the minimum payment level required to meet the federal
48 4 be less than the minimum payment level as established by the	maintenance of effort requirement.
48 5 federal government to meet the federally mandated maintenance	
48 6 of effort requirement. The flat reimbursement rate for	
48 7 facilities electing not to file semiannual cost reports shall	
48 8 not be less than the minimum payment level as established by	
48 9 the federal government to meet the federally mandated	
48 10 maintenance of effort requirement.	
48 11 l. For the fiscal year beginning July 1, 2008, inpatient	Requires the FY 2009 reimbursement rate for inpatient mental health
48 12 mental health services provided at hospitals shall be	services at hospitals to be set at 100.00% of costs.
48 13 reimbursed at the cost of the services, subject to Medicaid	
48 14 program upper payment limit rules; community mental health	
48 15 centers and providers of mental health services to county	
48 16 residents pursuant to a waiver approved under section 225C.7,	
48 17 subsection 3, shall be reimbursed at 100 percent of the	
48 18 reasonable costs for the provision of services to recipients	
48 19 of medical assistance; and psychiatrists shall be reimbursed	
48 20 at the medical assistance program fee for service rate.	

48 21 2. For the fiscal year beginning July 1, 2008, the
48 22 reimbursement rate for providers reimbursed under the in=
48 23 home-related care program shall not be less than the minimum
48 24 payment level as established by the federal government to meet
48 25 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2009 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

48 26 3. Unless otherwise directed in this section, when the
48 27 department's reimbursement methodology for any provider
48 28 reimbursed in accordance with this section includes an
48 29 inflation factor, this factor shall not exceed the amount by
48 30 which the consumer price index for all urban consumers
48 31 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

48 32 4. For the fiscal year beginning July 1, 2008, the foster
48 33 family basic daily maintenance rate paid in accordance with
48 34 section 234.38, the maximum adoption subsidy rate, and the
48 35 maximum supervised apartment living foster care rate for
49 1 children ages 0 through 5 years shall be \$16.36, the rate for
49 2 children ages 6 through 11 years shall be \$17.01, the rate for
49 3 children ages 12 through 15 years shall be \$18.62, and the
49 4 rate for children ages 16 and older shall be \$18.87.

Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2009.

DETAIL: The rates are increased compared to FY 2008 to maintain rates at 65.00% of the United States Department of Agriculture cost to raise a child as set forth in Statute.

49 5 5. For the fiscal year beginning July 1, 2008, the maximum
49 6 reimbursement rates for social services providers reimbursed
49 7 under a purchase of social services contract shall remain at
49 8 the rates in effect on June 30, 2008, or the provider's actual
49 9 and allowable cost plus inflation for each service, whichever
49 10 is less. However, the rates may be adjusted under any of the
49 11 following circumstances:
49 12 a. If a new service was added after June 30, 2008, the
49 13 initial reimbursement rate for the service shall be based upon
49 14 actual and allowable costs.
49 15 b. If a social service provider loses a source of income
49 16 used to determine the reimbursement rate for the provider, the
49 17 provider's reimbursement rate may be adjusted to reflect the

Requires the maximum reimbursement rates for social service providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2009, and provides for circumstances when the rates may be adjusted.

49 18 loss of income, provided that the lost income was used to
49 19 support actual and allowable costs of a service purchased
49 20 under a purchase of service contract.

49 21 6. For the fiscal year beginning July 1, 2008, the
49 22 reimbursement rates for family-centered service providers,
49 23 family foster care service providers, group foster care
49 24 service providers, and the resource family recruitment and
49 25 retention contractor shall remain at rates in effect on June
49 26 30, 2008.

Maintains foster care reimbursement rates for specified providers in FY 2009 as was received in FY 2008.

49 27 7. The group foster care reimbursement rates paid for
49 28 placement of children out of state shall be calculated
49 29 according to the same rate-setting principles as those used
49 30 for in-state providers, unless the director of human services
49 31 or the director's designee determines that appropriate care
49 32 cannot be provided within the state. The payment of the daily
49 33 rate shall be based on the number of days in the calendar
49 34 month in which service is provided.

Requires the group foster care reimbursement rates paid for placement of children out of state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the Director of the DHS determines that appropriate care cannot be provided within the State. Also, requires payment of the daily rate to be based on the number of days in the calendar month that service is provided.

49 35 8. For the fiscal year beginning July 1, 2008, the
50 1 reimbursement rates for remedial service providers shall
50 2 remain at the rates in effect for June 30, 2008.

Requires the FY 2009 reimbursement rate for remedial service providers to remain at the rate in effect June 30, 2008.

50 3 9. a. For the fiscal year beginning July 1, 2008, the
50 4 combined service and maintenance components of the
50 5 reimbursement rate paid for shelter care services purchased
50 6 under a contract shall be based on the financial and
50 7 statistical report submitted to the department. The maximum
50 8 reimbursement rate shall be \$91.45 per day. The department
50 9 shall reimburse a shelter care provider at the provider's
50 10 actual and allowable unit cost, plus inflation, not to exceed
50 11 the maximum reimbursement rate.

Requires the FY 2009 combined service and maintenance components of the reimbursement rate paid to shelter care providers to be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$91.45 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This maintains the rate received in FY 2008.

50 12 b. Notwithstanding section 232.141, subsection 8, for the

CODE: Maintains the limit of the Statewide average reimbursement

50 13 fiscal year beginning July 1, 2008, the amount of the
 50 14 statewide average of the actual and allowable rates for
 50 15 reimbursement of juvenile shelter care homes that is utilized
 50 16 for the limitation on recovery of unpaid costs shall remain at
 50 17 the amount in effect for this purpose in the preceding fiscal
 50 18 year.

rates paid to shelter care providers that was received in FY 2008.
 This impacts the amount of charges that are reimbursed.

50 19 10. For the fiscal year beginning July 1, 2008, the
 50 20 department shall calculate reimbursement rates for
 50 21 intermediate care facilities for persons with mental
 50 22 retardation at the 80th percentile.

Requires the DHS to calculate reimbursement rates for intermediate
 care facilities for persons with mental retardation (ICF/MRs) at the
 80th percentile for FY 2009.

50 23 11. For the fiscal year beginning July 1, 2008, for child
 50 24 care providers reimbursed under the state child care
 50 25 assistance program, the department shall set provider
 50 26 reimbursement rates based on the rate reimbursement survey
 50 27 completed in December 2004. The department shall set rates in
 50 28 a manner so as to provide incentives for a nonregistered
 50 29 provider to become registered.

Requires the DHS to set FY 2009 provider reimbursement rates for
 child care providers based on the rate reimbursement survey
 completed in December 2004. Requires rates to be set in a manner
 that will provide incentives for non-registered providers to become
 registered.

50 30 12. For the fiscal year beginning July 1, 2008,
 50 31 reimbursements for providers reimbursed by the department of
 50 32 human services may be modified if appropriated funding is
 50 33 allocated for that purpose from the senior living trust fund
 50 34 created in section 249H.4, or as specified in appropriations
 50 35 from the healthy lowans tobacco trust created in section
 51 1 12.65.

Specifies that FY 2009 reimbursements for providers reimbursed by
 the DHS may be modified if appropriated funding is allocated for that
 purpose from the Senior Living Trust Fund or as specified in
 appropriations from the Healthy lowans Tobacco Trust Fund.

51 2 13. The department may adopt emergency rules to implement
 51 3 this section.

Permits the DHS to adopt emergency rules to implement these
 reimbursements.

51 4 Sec. 31. 2001 Iowa Acts, chapter 192, section 4,
 51 5 subsection 4, is amended to read as follows:
 51 6 4. ACCOUNTABILITY MEASURERS MEASUREMENTS == ANNUAL

CODE: Requires nursing facility accountability measure payments to
 be reduced if a minor deficiency is received during the year and
 eliminated for that fiscal year if there is a major deficiency.

51 7 ACCOUNTABILITY PAYMENTS == DIRECT CARE WORKER COMPENSATION51 8 REPORTING REQUIREMENTS .

51 9 a. (1) It is the intent of the general assembly that the
51 10 department of human services initiate a system to measure a
51 11 variety of elements to determine a nursing facility's capacity
51 12 to provide quality of life and appropriate access to medical
51 13 assistance program beneficiaries in a cost=effective manner.
51 14 Beginning July 1, 2001, the department shall implement a
51 15 process to collect data for these measurements and shall
51 16 develop procedures to increase nursing facility reimbursements
51 17 based upon a nursing facility's achievement of multiple
51 18 favorable outcomes as determined by these measurements. Any
51 19 increased reimbursement shall not exceed 3 percent of the
51 20 calculation of the modified price=based case=mix reimbursement
51 21 median. The increased reimbursement shall be included in the
51 22 calculation of nursing facility modified price=based payment
51 23 rates beginning July 1, 2002, with the exception of
51 24 Medicare=certified hospital=based nursing facilities,
51 25 state=operated nursing facilities, and special population
51 26 nursing facilities.

51 27 (2) Beginning July 1, 2008, notwithstanding any law or
51 28 rule to the contrary, the increased nursing facility
51 29 reimbursement available pursuant to subparagraph (1) shall be
51 30 based upon the accountability measures and calculations
51 31 existing on July 1, 2008, pursuant to 441 IAC 81.6(16)(g), as
51 32 adjusted in accordance with the following provisions, and the
51 33 increased reimbursement shall be disbursed to each qualifying
51 34 nursing facility as an accountability payment at the end of
51 35 each fiscal year:

52 1 (a) If a nursing facility receives a deficiency for
52 2 substandard quality of care as defined in 42 C.F.R. 488.301,
52 3 the increased reimbursement calculated for payment under this
52 4 paragraph shall be reduced by 25 percent for each such
52 5 deficiency received during the year. Additionally, if the
52 6 nursing facility fails to correct any substandard quality of
52 7 care deficiency within the time required by the department of
52 8 inspections and appeals, the entire increased reimbursement
52 9 calculated for payment under this subparagraph (2) shall be

52 10 forfeited and the nursing facility shall not receive any
 52 11 accountability payment for the year.
 52 12 (b) If a nursing facility receives a deficiency that is
 52 13 classified pursuant to the Centers for Medicare and Medicaid
 52 14 Services of the United States department of health and human
 52 15 services federal certification guidelines at an H level scope
 52 16 and severity or higher, the increased reimbursement calculated
 52 17 for payment under this subparagraph (2) shall be forfeited and
 52 18 the nursing facility shall not receive an accountability
 52 19 payment for the year.
 52 20 (3) It is the intent of the general assembly that the
 52 21 department of human services in consultation with long-term
 52 22 care services stakeholders and advocates including but not
 52 23 limited to representatives of the AARP Iowa chapter, direct
 52 24 care workers, and long-term care provider entities, review and
 52 25 make recommendations to the general assembly by December 15,
 52 26 2008, about the continuation, modification, or implementation
 52 27 of performance-based incentives to enhance quality outcomes in
 52 28 nursing facilities.
 52 29 b. It is the intent of the general assembly that increases
 52 30 in payments to nursing facilities under the case-mix adjusted
 52 31 component shall be used for the provision of direct care with
 52 32 an emphasis on compensation to direct care workers. The
 52 33 department shall compile and provide a detailed analysis to
 52 34 demonstrate growth of direct care costs, increased acuity, and
 52 35 care needs of residents. The department shall also provide
 53 1 analysis of cost reports submitted by providers and the
 53 2 resulting desk review and field audit adjustment to reclassify
 53 3 and amend provider cost and statistical data. The results of
 53 4 these analyses shall be submitted to the general assembly for
 53 5 evaluation to determine payment levels following the
 53 6 transition funding period.

53 7 Sec. 32. EMERGENCY RULES. If specifically authorized by a
 53 8 provision of this division of this Act, the department of
 53 9 human services or the mental health, mental retardation,
 53 10 developmental disabilities, and brain injury commission may

Permits the Department of Human Services and the Mental Health,
 Mental Retardation, Developmental Disabilities, and Brain Injury
 Commission to adopt emergency rules when authorized.

53 11 adopt administrative rules under section 17A.4, subsection 2,
53 12 and section 17A.5, subsection 2, paragraph "b", to implement
53 13 the provisions and the rules shall become effective
53 14 immediately upon filing or on a later effective date specified
53 15 in the rules, unless the effective date is delayed by the
53 16 administrative rules review committee. Any rules adopted in
53 17 accordance with this section shall not take effect before the
53 18 rules are reviewed by the administrative rules review
53 19 committee. The delay authority provided to the administrative
53 20 rules review committee under section 17A.4, subsection 5, and
53 21 section 17A.8, subsection 9, shall be applicable to a delay
53 22 imposed under this section, notwithstanding a provision in
53 23 those sections making them inapplicable to section 17A.5,
53 24 subsection 2, paragraph "b". Any rules adopted in accordance
53 25 with the provisions of this section shall also be published as
53 26 notice of intended action as provided in section 17A.4.

53 27 Sec. 33. REPORTS. Any reports or information required to
53 28 be compiled and submitted under this Act shall be submitted to
53 29 the chairpersons and ranking members of the joint
53 30 appropriations subcommittee on health and human services, the
53 31 legislative services agency, and the legislative caucus staffs
53 32 on or before the dates specified for submission of the reports
53 33 or information.

Requires the Department of Elder Affairs, the Department of Public Health, the Department of Human Services, the Department of Veterans Affairs, and the Iowa Veterans Home to submit required reports within this Bill to the Chairpersons and Ranking members of the Health and Human Services Appropriations Subcommittee, the Legislative Services Agency, and the four Caucus staffs on or before the required dates of the reports.

53 34 Sec. 34. EFFECTIVE DATE. The following provision of this
53 35 division of this Act, being deemed of immediate importance,
54 1 takes effect upon enactment:
54 2 The provision under the appropriation for child and family
54 3 services, relating to requirements of section 232.143 for
54 4 representatives of the department of human services and
54 5 juvenile court services to establish a plan for continuing
54 6 group foster care expenditures for the 2008=2009 fiscal year.

Specifies that the requirement for the DHS and Juvenile Court Services to develop a FY 2009 funding distribution plan by June 15, 2008 takes effect on enactment.

54 7 DIVISION II

Senior Living Trust Fund, Pharmaceutical Settlement Account, IowaCare Account, and Health Care Transformation Account

54 8 SENIOR LIVING TRUST FUND,	appropriations for FY 2009.
54 9 PHARMACEUTICAL SETTLEMENT ACCOUNT,	
54 10 IOWACARE ACCOUNT, HEALTH CARE	
54 11 TRANSFORMATION ACCOUNT, AND	
54 12 PROPERTY TAX RELIEF FUND	
54 13 Sec. 35. DEPARTMENT OF ELDER AFFAIRS. There is	Senior Living Trust Fund appropriation to the Department of Elder
54 14 appropriated from the senior living trust fund created in	Affairs.
54 15 section 249H.4 to the department of elder affairs for the	
54 16 fiscal year beginning July 1, 2008, and ending June 30, 2009,	DETAIL: Maintains the current level of funding.
54 17 the following amount, or so much thereof as is necessary, to	
54 18 be used for the purpose designated:	
54 19 For the development and implementation of a comprehensive	
54 20 senior living program, including case management only if the	
54 21 monthly cost per client for case management for the frail	
54 22 elderly services provided does not exceed an average of \$70,	
54 23 and including program administration and costs associated with	
54 24 implementation:	
54 25 \$ 8,442,707	
54 26 1. Of the funds appropriated in this section, \$2,196,967	Requires an allocation of \$2,196,967 for the Case Management
54 27 shall be used for case management for the frail elderly. Of	Program for the Frail Elderly, and requires \$1,010,000 of the
54 28 the funds allocated in this subsection, \$1,010,000 shall be	allocation to be transferred to the DHS in equal amounts on a
54 29 transferred to the department of human services in equal	quarterly basis for reimbursement under the Medicaid Elderly Waiver.
54 30 amounts on a quarterly basis for reimbursement of case	Limits the monthly cost per client to \$70.00.
54 31 management services provided under the medical assistance	
54 32 elderly waiver. The monthly cost per client for case	DETAIL: Maintains current allocation and transfer levels.
54 33 management for the frail elderly services provided shall not	
54 34 exceed an average of \$70.	
54 35 2. Notwithstanding section 249H.7, the department of elder	CODE: Requires the Department of Elder Affairs to use up to
55 1 affairs shall distribute up to \$400,000 of the funds	\$400,000 of the Senior Living Trust Fund appropriation to maximize
55 2 appropriated in this section in a manner that will supplement	federal funds under the Older Americans Act, and prohibits these
55 3 and maximize federal funds under the federal Older Americans	funds from being used for administration.
55 4 Act and shall not use the amount distributed for any	

55 5 administrative purposes of either the department of elder
55 6 affairs or the area agencies on aging.

55 7 3. Of the funds appropriated in this section, \$60,000
55 8 shall be used to provide dementia-specific education to direct
55 9 care workers and other providers of long-term care to enhance
55 10 existing or scheduled efforts through the Iowa caregivers
55 11 association, the Alzheimer's association, and other
55 12 organizations identified as appropriate by the department.

Allocates \$60,000 for dementia-specific education for direct care workers.

DETAIL: Maintains the current allocation level.

55 13 Sec. 36. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
55 14 appropriated from the senior living trust fund created in
55 15 section 249H.4 to the department of inspections and appeals
55 16 for the fiscal year beginning July 1, 2008, and ending June
55 17 30, 2009, the following amount, or so much thereof as is
55 18 necessary, to be used for the purpose designated:
55 19 For the inspection and certification of assisted living
55 20 facilities and adult day care services, including program
55 21 administration and costs associated with implementation:
55 22 \$ 1,183,303

Senior Living Trust Fund appropriation to the Department of Inspections and Appeals.

DETAIL: Maintains current level of Senior Living Trust Fund support and FTE positions.

55 23 Sec. 37. DEPARTMENT OF HUMAN SERVICES. There is
55 24 appropriated from the senior living trust fund created in
55 25 section 249H.4 to the department of human services for the
55 26 fiscal year beginning July 1, 2008, and ending June 30, 2009,
55 27 the following amount, or so much thereof as is necessary, to
55 28 be used for the purpose designated:

55 29 To supplement the medical assistance appropriations made in
55 30 this Act, including program administration and costs
55 31 associated with implementation:
55 32 \$ 67,500,000

Senior Living Trust Fund appropriation to the DHS to supplement the Medical Assistance (Medicaid) appropriation.

DETAIL: This is an increase of \$2,500,000 and no change in FTE positions compared to the FY 2008 appropriation from the Senior Living Trust Fund to increase funding available for increased costs of the Medicaid Program.

55 33 In order to carry out the purposes of this section, the
 55 34 department may transfer funds appropriated in this section to
 55 35 supplement other appropriations made to the department of
 56 1 human services.

Requires the DHS to transfer funds to supplement other appropriations made to the DHS to carry out the purposes of this Section.

56 2 Sec. 38. IOWA FINANCE AUTHORITY. There is appropriated
 56 3 from the senior living trust fund created in section 249H.4 to
 56 4 the Iowa finance authority for the fiscal year beginning July
 56 5 1, 2008, and ending June 30, 2009, the following amount, or so
 56 6 much thereof as is necessary, to be used for the purposes
 56 7 designated:
 56 8 To provide reimbursement for rent expenses to eligible
 56 9 persons:
 56 10 \$ 700,000

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: Maintains the current level of Senior Living Trust Fund support.

56 11 Participation in the rent subsidy program shall be limited
 56 12 to only those persons who meet the requirements for the
 56 13 nursing facility level of care for home and community-based
 56 14 services waiver services as in effect on July 1, 2008, and to
 56 15 those individuals who are eligible for the federal money
 56 16 follows the person grant program under the medical assistance
 56 17 program.

Requires participation in the Rent Subsidy Program to be limited to individuals at risk of nursing home placement and persons eligible under the federal Money Follows the Person Grant Program.

56 18 Sec. 39. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 56 19 appropriated from the pharmaceutical settlement account
 56 20 created in section 249A.33 to the department of human services
 56 21 for the fiscal year beginning July 1, 2008, and ending June
 56 22 30, 2009, the following amount, or so much thereof as is
 56 23 necessary, to be used for the purpose designated:
 56 24 To supplement the appropriations made for medical contracts
 56 25 under the medical assistance program:
 56 26 \$ 942,767

Pharmaceutical Settlement Account transfer to supplement the Medical Contracts appropriation line-item.

DETAIL: This is a decrease of \$381,066 compared to the estimated FY 2008 appropriation to reflect an increase in available funds. This Account was created in SF 453 (FY 2004 Miscellaneous Provisions Act). Funds are available from periodic pharmaceutical settlements and are required to be used for technology upgrades.

56 27 Sec. 40. APPROPRIATIONS FROM IOWACARE ACCOUNT.

56 28 1. There is appropriated from the IowaCare account created
56 29 in section 249J.24 to the state board of regents for
56 30 distribution to the university of Iowa hospitals and clinics
56 31 for the fiscal year beginning July 1, 2008, and ending June
56 32 30, 2009, the following amount, or so much thereof as is
56 33 necessary, to be used for the purposes designated:

56 34 For salaries, support, maintenance, equipment, and
56 35 miscellaneous purposes, for the provision of medical and
57 1 surgical treatment of indigent patients, for provision of
57 2 services to members of the expansion population pursuant to
57 3 chapter 249J, and for medical education:
57 4 \$ 27,284,584

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: Maintains current IowaCare Account support. IowaCare is an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). Fiscal Year 2006 was the first year this appropriation was funded. A portion of the funds are to be used for graduate medical education.

57 5 a. Funds appropriated in this subsection shall not be used
57 6 to perform abortions except medically necessary abortions, and
57 7 shall not be used to operate the early termination of
57 8 pregnancy clinic except for the performance of medically
57 9 necessary abortions. For the purpose of this subsection, an
57 10 abortion is the purposeful interruption of pregnancy with the
57 11 intention other than to produce a live-born infant or to
57 12 remove a dead fetus, and a medically necessary abortion is one
57 13 performed under one of the following conditions:
57 14 (1) The attending physician certifies that continuing the
57 15 pregnancy would endanger the life of the pregnant woman.
57 16 (2) The attending physician certifies that the fetus is
57 17 physically deformed, mentally deficient, or afflicted with a
57 18 congenital illness.
57 19 (3) The pregnancy is the result of a rape which is
57 20 reported within 45 days of the incident to a law enforcement
57 21 agency or public or private health agency which may include a
57 22 family physician.
57 23 (4) The pregnancy is the result of incest which is

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

57 24 reported within 150 days of the incident to a law enforcement
57 25 agency or public or private health agency which may include a
57 26 family physician.
57 27 (5) The abortion is a spontaneous abortion, commonly known
57 28 as a miscarriage, wherein not all of the products of
57 29 conception are expelled.

57 30 b. Notwithstanding any provision of law to the contrary,
57 31 the amount appropriated in this subsection shall be allocated
57 32 in twelve equal monthly payments as provided in section
57 33 249J.24.

CODE: Requires the amount appropriated in this Subsection to be allocated in 12 equal monthly payments.

57 34 2. There is appropriated from the IowaCare account created
57 35 in section 249J.24 to the state board of regents for
58 1 distribution to the university of Iowa hospitals and clinics
58 2 for the fiscal year beginning July 1, 2008, and ending June
58 3 30, 2009, the following amount, or so much thereof as is
58 4 necessary, to be used for the purposes designated:
58 5 For salaries, support, maintenance, equipment, and
58 6 miscellaneous purposes, for the provision of medical and
58 7 surgical treatment of indigent patients, for provision of
58 8 services to members of the expansion population pursuant to
58 9 chapter 249J, and for medical education:
58 10 \$ 35,969,365

IowaCare Account appropriation of an additional \$35,969,365 to the State Board of Regents to be distributed to the State University of Iowa Hospitals and Clinics (SUIHC).

DETAIL: This is an increase of \$25,969,365 compared to estimated FY 2008. The increase is for increased enrollment and utilization of the IowaCare Program.

58 11 The amount appropriated in this subsection shall be
58 12 distributed only if expansion population claims adjudicated
58 13 and paid by the Iowa Medicaid enterprise exceed the
58 14 appropriation to the state board of regents for distribution
58 15 to the university of Iowa hospitals and clinics provided in
58 16 subsection 1. The amount appropriated in this subsection
58 17 shall be distributed monthly for expansion population claims
58 18 adjudicated and approved for payment by the Iowa Medicaid
58 19 enterprise using medical assistance program reimbursement
58 20 rates.

Permits the appropriation to be distributed only if expansion population claims exceed the \$27,284,584 appropriated to the Board of Regents and requires the funds to be distributed monthly.

58 21 3. There is appropriated from the IowaCare account created
 58 22 in section 249J.24 to the department of human services for the
 58 23 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 58 24 the following amount, or so much thereof as is necessary, to
 58 25 be used for the purposes designated:
 58 26 For distribution to a publicly owned acute care teaching
 58 27 hospital located in a county with a population over three
 58 28 hundred fifty thousand for the provision of medical and
 58 29 surgical treatment of indigent patients, for provision of
 58 30 services to members of the expansion population pursuant to
 58 31 chapter 249J, and for medical education:
 58 32 \$ 40,000,000

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

DETAIL: Maintains current level of IowaCare Account support. Broadlawns transfers \$34,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.

58 33 Notwithstanding any provision of law to the contrary, the
 58 34 amount appropriated in this subsection shall be allocated in
 58 35 twelve equal monthly payments as provided in section 249J.24.
 59 1 Any amount appropriated in this subsection in excess of
 59 2 \$37,000,000 shall be allocated only if federal funds are
 59 3 available to match the amount allocated.

CODE: Requires Broadlawns to receive \$37,000,000 in 12 equal monthly payments and may receive up to \$40,000,000, contingent on the availability of federal matching funds.

59 4 4. There is appropriated from the IowaCare account created
 59 5 in section 249J.24 to the department of human services for the
 59 6 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 59 7 the following amounts, or so much thereof as is necessary, to
 59 8 be used for the purposes designated:

Specifies that the funds in this Section are to be appropriated from the IowaCare Account to the DHS for support of the State Mental Health Institutes (MHIs).

59 9 a. For the state mental health institute at Cherokee, for
 59 10 salaries, support, maintenance, and miscellaneous purposes,
 59 11 including services to members of the expansion population
 59 12 pursuant to chapter 249J:
 59 13 \$ 3,164,766

IowaCare Account appropriation to the Cherokee MHI.

DETAIL: This is a decrease of \$5,933,659 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected with the five-year agreement with the federal Centers for Medicare and Medicaid Services. The balance of the MHI funding is met under Section 9 of this Bill.

59 14 b. For the state mental health institute at Clarinda, for

IowaCare Account appropriation to the Clarinda MHI.

59 15 salaries, support, maintenance, and miscellaneous purposes,
 59 16 including services to members of the expansion population
 59 17 pursuant to chapter 249J:
 59 18 \$ 687,779

DETAIL: This is a decrease of \$1,289,526 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.

59 19 c. For the state mental health institute at Independence,
 59 20 for salaries, support, maintenance, and miscellaneous
 59 21 purposes, including services to members of the expansion
 59 22 population pursuant to chapter 249J:
 59 23 \$ 3,146,494

IowaCare Account appropriation to Independence MHI.

DETAIL: This is a decrease of \$5,899,400 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.

59 24 d. For the state mental health institute at Mount
 59 25 Pleasant, for salaries, support, maintenance, and
 59 26 miscellaneous purposes, including services to members of the
 59 27 expansion population pursuant to chapter 249J:
 59 28 \$ 2,000,961

IowaCare Account appropriation to Mount Pleasant MHI.

DETAIL: This is a decrease of \$3,751,626 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.

59 29 Sec. 41. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
 59 30 TRANSFORMATION. There is appropriated from the account for
 59 31 health care transformation created in section 249J.23 to the
 59 32 department of human services for the fiscal year beginning
 59 33 July 1, 2008, and ending June 30, 2009, the following amounts,
 59 34 or so much thereof as is necessary, to be used for the
 59 35 purposes designated:

Appropriations from the Health Care Transformation Account (HCTA).

DETAIL: The HCTA was created as part of the agreement with the CMS to discontinue Iowa's Intergovernmental Transfers (IGTs) during the 2005 Legislative Session. It is intended to fund the reforms specified in HF 841 (IowaCare and Medicaid Reform Act) passed during the 2005 Legislative Session.

60 1 1. For the costs of medical examinations and development
 60 2 of personal health improvement plans for the expansion
 60 3 population pursuant to section 249J.6:
 60 4 \$ 556,800

Appropriation from the Health Care Transformation Account (HCTA) for medical examinations and personal improvement plans for IowaCare enrollees.

DETAIL: Maintains the current level of HCTA support.

PG LN	LSB5002S	Explanation
60 5	2. For the provision of a medical information hotline for	Appropriation from the HCTA for a medical information hotline for
60 6	the expansion population as provided in section 249J.6:	IowaCare enrollees.
60 7	..... \$ 150,000	DETAIL: Maintains the current level of HCTA support.
60 8	3. For other health promotion partnership activities	Appropriation from the HCTA for other health partnership activities
60 9	pursuant to section 249J.14:	related to IowaCare.
60 10	..... \$ 900,000	DETAIL: This is an increase of \$350,000 compared to the estimated FY 2008 appropriation.
60 11	4. For the costs related to audits, performance	Appropriation from the HCTA for costs related to audits, performance
60 12	evaluations, and studies required pursuant to chapter 249J:	evaluations, and studies related to IowaCare.
60 13	..... \$ 400,000	DETAIL: Maintains the current level of HCTA support.
60 14	5. For administrative costs associated with chapter 249J:	Appropriation from the HCTA for IowaCare administrative costs.
60 15	..... \$ 1,132,412	DETAIL: This is an increase of \$202,060 compared to the estimated FY 2008 appropriation.
60 16	6. For planning and development, in cooperation with the	Appropriation from the HCTA to the DHS and the DPH to start a
60 17	department of public health, of a phased-in program to provide	program to provide a dental home for children.
60 18	a dental home for children:	DETAIL: This is a decrease of \$686,475 compared to the estimated FY 2008 appropriation.
60 19	..... \$ 500,000	
60 20	7. For a mental health transformation pilot program:	Appropriation from the HCTA for a mental health transformation pilot
60 21	..... \$ 250,000	program.
		DETAIL: Maintains the current level of HCTA support.
60 22	8. For mental health and developmental disability	Appropriation from the HCTA for Mental Health and Developmental
60 23	workforce development:	Disability workforce development.

60 24 \$ 1,050,000

DETAIL: This is a new appropriation for FY 2009.

60 25 9. For reimbursable administrative costs incurred by the
 60 26 publicly owned acute care teaching hospital located in a
 60 27 county with a population of over 350,000 that is a
 60 28 participating provider pursuant to chapter 249J:
 60 29 \$ 230,000
 60 30 Disbursements under this subsection shall be made monthly
 60 31 based upon receipts submitted to the department for
 60 32 reimbursable costs as specified in section 249J.23.

Appropriation from the HCTA for administrative costs at the Polk County Broadlawns Medical Center for the IowaCare Program.

DETAIL: This is a new appropriation for FY 2009.

60 33 Notwithstanding section 8.39, subsection 1, without the
 60 34 prior written consent and approval of the governor and the
 60 35 director of the department of management, the director of
 61 1 human services may transfer funds among the appropriations
 61 2 made in this section as necessary to carry out the purposes of
 61 3 the account for health care transformation. The department
 61 4 shall report any transfers made pursuant to this section to
 61 5 the legislative services agency.

CODE: Permits the DHS to transfer funds to carry out activities in this Section without the approval of the Governor or the Director of the Department of Management, but requires the DHS to report any transfers to the Legislative Services Agency.

61 6 Sec. 42. TRANSFER FROM ACCOUNT FOR HEALTH CARE
 61 7 TRANSFORMATION. There is transferred from the account for
 61 8 health care transformation created pursuant to section 249J.23
 61 9 to the IowaCare account created in section 249J.24 a total of
 61 10 \$3,000,000 for the fiscal year beginning July 1, 2008, and
 61 11 ending June 30, 2009.

Transfer of \$3,000,000 from the HCTA to the IowaCare account.

DETAIL: This transfer makes up part of the \$37,000,000 appropriation to Broadlawns Medical Center. The transfer is a decrease of \$2,000,000 compared to the FY 2008 transfer.

61 12 Sec. 43. PROPERTY TAX RELIEF FUND. There is appropriated
 61 13 from the property tax relief fund created in section 426B.1 to
 61 14 the department of human services for the fiscal year beginning
 61 15 July 1, 2008, and ending June 30, 2009, the following amount,
 61 16 or so much thereof as is necessary, to be used for the
 61 17 purposes designated:

Appropriation from the Property Tax Relief Fund to the Medical Assistance Program.

DETAIL: This is a new appropriation for FY 2009.

61 18 For the medical assistance program in addition to the
 61 19 appropriation made in section 426B.1, subsection 3, and other
 61 20 appropriations made for purposes of the program:
 61 21 \$ 624,000
 61 22 The appropriation made in this section consists of the
 61 23 revenues credited to the property tax relief fund pursuant to
 61 24 sections 437A.8 and 437A.15 as of November 1, 2007, and the
 61 25 appropriation is made in lieu of distributions of those
 61 26 revenues in accordance with section 426B.2, subsection 3.

61 27 Sec. 44. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
 61 28 LIVING TRUST FUND FOR FY 2008=2009. Notwithstanding section
 61 29 8.33, if moneys appropriated for purposes of the medical
 61 30 assistance program for the fiscal year beginning July 1, 2008,
 61 31 and ending June 30, 2009, from the general fund of the state,
 61 32 the senior living trust fund, the healthy lowans tobacco trust
 61 33 fund, the health care trust fund, and the property tax relief
 61 34 fund are in excess of actual expenditures for the medical
 61 35 assistance program and remain unencumbered or unobligated at
 62 1 the close of the fiscal year, the excess moneys shall not
 62 2 revert but shall be transferred to the senior living trust
 62 3 fund created in section 249H.4.

CODE: Requires nonreversion of the Medical Assistance Program supplemental appropriation and transfer of remaining funds to the Senior Living Trust Fund.

62 4 DIVISION III
 62 5 MH/MR/DD/BI SERVICES
 62 6 ALLOWED GROWTH FUNDING ==
 62 7 FY 2008=2009

62 8 Sec. 45. 2007 Iowa Acts, chapter 215, section 1, is
 62 9 amended to read as follows:
 62 10 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION,
 62 11 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH
 62 12 APPROPRIATION AND ALLOCATIONS == FISCAL YEAR 2008=2009.

62 13 1. There is appropriated from the general fund of the

CODE: Amends the FY 2009 original Mental Health Allowed Growth

62 14 state to the department of human services for the fiscal year
 62 15 beginning July 1, 2008, and ending June 30, 2009, the
 62 16 following amount, or so much thereof as is necessary, to be
 62 17 used for the purpose designated:

62 18 For distribution to counties of the county mental health,
 62 19 mental retardation, and developmental disabilities allowed
 62 20 growth factor adjustment for fiscal year 2008=2009, and for
 62 21 the brain injury services program in the department of public
 62 22 health:

62 23 \$ 64,600,002

62 24 54,081,310

62 25 ~~2. The amount appropriated in this section shall be~~
 62 26 ~~allocated as provided in a later enactment of the general~~
 62 27 ~~assembly.~~

appropriation to reflect the continuation of funding from the Health Care Trust Fund and the transfer of the Brain Injury Waiver to Medicaid.

DETAIL: This is an increase of \$8,119,862 compared to the FY 2008 appropriation. The FY 2008 separate appropriation of \$12,000,000 is contained within the FY 2009 appropriation.

62 28 2. There is appropriated from the property tax relief fund
 62 29 to the department of human services for the fiscal year
 62 30 beginning July 1, 2008, and ending June 30, 2009, the
 62 31 following amount, or so much thereof as is necessary, to be
 62 32 used for the purposes designated:

62 33 For distribution to counties of the county mental health,
 62 34 mental retardation, and developmental disabilities allowed
 62 35 growth factor adjustment, as provided in this section in lieu
 63 1 of the provisions of section 331.438, subsection 2, and
 63 2 section 331.439, subsection 3, and chapter 426B:

63 3 \$ 7,592,099

CODE: Adds a Property Tax Relief Fund appropriation to the Mental Health FY 2009 Allowed Growth.

DETAIL: This is an appropriation from the Health Care Trust Fund, transferred through the Property Tax Relief Fund. Maintains the current level of Health Care Trust Fund support.

63 4 Sec. 46. 2007 Iowa Acts, chapter 215, section 1, as
 63 5 amended by this division of this Act, is amended by adding the
 63 6 following new subsections:

63 7 NEW SUBSECTION . 3. Of the amount appropriated in
 63 8 subsection 1, \$12,000,000 shall be distributed as provided in
 63 9 this subsection.

63 10 a. To be eligible to receive a distribution under this
 63 11 subsection, a county must meet the following requirements:

63 12 (1) The county is levying for the maximum amount allowed

CODE: Requires counties eligible for the \$12,000,000 of the Mental Health Allowed Growth funding to comply with the following:

- Levy at least 90.00% of the maximum levy.
- Levy so the rate is more than \$2.00 per \$1,000 of the taxable assessed property value.
- Maintain a Mental Health Services Fund Balance for FY 2007 of 15.00% or less.

63 13 for the county's mental health, mental retardation, and
 63 14 developmental disabilities services fund under section
 63 15 331.424A for taxes due and payable in the fiscal year
 63 16 beginning July 1, 2008, or the county is levying for at least
 63 17 90 percent of the maximum amount allowed for the county's
 63 18 services fund and that levy rate is more than \$2 per \$1,000 of
 63 19 the assessed value of all taxable property in the county.
 63 20 (2) In the fiscal year beginning July 1, 2006, the
 63 21 county's mental health, mental retardation, and developmental
 63 22 disabilities services fund ending balance under generally
 63 23 accepted accounting principles was equal to or less than 15
 63 24 percent of the county's actual gross expenditures for that
 63 25 fiscal year.
 63 26 b. A county's allocation of the amount appropriated in
 63 27 this subsection shall be determined based upon the county's
 63 28 proportion of the general population of the counties eligible
 63 29 to receive an allocation under this subsection. The most
 63 30 recent population estimates issued by the United States bureau
 63 31 of the census shall be applied in determining population for
 63 32 the purposes of this paragraph.
 63 33 c. The allocations made pursuant to this subsection are
 63 34 subject to the distribution provisions and withholding
 63 35 requirements established in this section for the county mental
 64 1 health, mental retardation, and developmental disabilities
 64 2 allowed growth factor adjustment for the fiscal year beginning
 64 3 July 1, 2008.

64 4 NEW SUBSECTION . 4. The funding appropriated in this
 64 5 section is the allowed growth factor adjustment for fiscal
 64 6 year 2008=2009, and shall be credited to the allowed growth
 64 7 funding pool created in the property tax relief fund and for
 64 8 distribution in accordance with section 426B.5, subsection 1:
 64 9 \$ 49,673,409

CODE: Sets the expenditure target allocation to the allowed growth funding pool for FY 2009.

64 10 NEW SUBSECTION . 5. The following formula amounts shall be
 64 11 utilized only to calculate preliminary distribution amounts

CODE: Provides the annual distribution of the FY 2009 Mental Health Allowed Growth appropriation. Reflects appropriations from multiple sources with the single distribution. Requires \$57,337,985 to be

64 12 for fiscal year 2008=2009 under this section by applying the	distributed to counties that levy at least 70.00% for the MH/MR/DD
64 13 indicated formula provisions to the formula amounts and	Services Fund and have limited Fund balances. Fund balances for
64 14 producing a preliminary distribution total for each county:	the distribution formula are those from FY 2007. Those counties that
64 15 a. For calculation of a distribution amount for eligible	have an ending Fund balance of between 10.00% and 25.00% will
64 16 counties from the allowed growth funding pool created in the	experience a reduction of \$7,664,576 as a withholding target.
64 17 property tax relief fund in accordance with the requirements	
64 18 in section 426B.5, subsection 1:	
64 19 \$ 57,337,985	
64 20 b. For calculation of a distribution amount for counties	
64 21 from the mental health and developmental disabilities (MH/DD)	
64 22 community services fund in accordance with the formula	
64 23 provided in the appropriation made for the MH/DD community	
64 24 services fund for the fiscal year beginning July 1, 2008:	
64 25 \$ 17,727,890	
64 26 <u>NEW SUBSECTION</u> . 6. After applying the applicable	
64 27 statutory distribution formulas to the amounts indicated in	
64 28 subsection 5 for purposes of producing preliminary	
64 29 distribution totals, the department of human services shall	
64 30 apply a withholding factor to adjust an eligible individual	
64 31 county's preliminary distribution total. In order to be	
64 32 eligible for a distribution under this section, a county must	
64 33 be levying seventy percent or more of the maximum amount	
64 34 allowed for the county's mental health, mental retardation,	
64 35 and developmental disabilities services fund under section	
65 1 331.424A for taxes due and payable in the fiscal year for	
65 2 which the distribution is payable. An ending balance	
65 3 percentage for each county shall be determined by expressing	
65 4 the county's ending balance on a modified accrual basis under	
65 5 generally accepted accounting principles for the fiscal year	
65 6 beginning July 1, 2006, in the county's mental health, mental	
65 7 retardation, and developmental disabilities services fund	
65 8 created under section 331.424A, as a percentage of the	
65 9 county's gross expenditures from that fund for that fiscal	
65 10 year. If a county borrowed moneys for purposes of providing	
65 11 services from the county's services fund on or before July 1,	
65 12 2006, and the county's services fund ending balance for that	
65 13 fiscal year includes the loan proceeds or an amount designated	
65 14 in the county budget to service the loan for the borrowed	

65 15 moneys, those amounts shall not be considered to be part of
65 16 the county's ending balance for purposes of calculating an
65 17 ending balance percentage under this subsection. The
65 18 withholding factor for a county shall be the following
65 19 applicable percent:

65 20 a. For an ending balance percentage of less than 5
65 21 percent, a withholding factor of 0 percent. In addition, a
65 22 county that is subject to this lettered paragraph shall
65 23 receive an inflation adjustment equal to 3 percent of the
65 24 gross expenditures reported for the county's services fund for
65 25 the fiscal year.

65 26 b. For an ending balance percentage of 5 percent or more
65 27 but less than 10 percent, a withholding factor of 0 percent.
65 28 In addition, a county that is subject to this lettered
65 29 paragraph shall receive an inflation adjustment equal to 2
65 30 percent of the gross expenditures reported for the county's
65 31 services fund for the fiscal year.

65 32 c. For an ending balance percentage of 10 percent or more
65 33 but less than 25 percent, a withholding factor of 25 percent.
65 34 However, for counties with an ending balance percentage of 10
65 35 percent or more but less than 15 percent, the amount withheld
66 1 shall be limited to the amount by which the county's ending
66 2 balance was in excess of the ending balance percentage of 10
66 3 percent.

66 4 d. For an ending balance percentage of 25 percent or more,
66 5 a withholding percentage of 100 percent.

66 6 NEW SUBSECTION . 7. The total withholding amounts applied
66 7 pursuant to subsection 6 shall be equal to a withholding
66 8 target amount of \$7,664,576. If the department of human
66 9 services determines that the amount to be withheld in
66 10 accordance with subsection 6 is not equal to the target
66 11 withholding amount, the department shall adjust the
66 12 withholding factors listed in subsection 6 as necessary to
66 13 achieve the target withholding amount. However, in making
66 14 such adjustments to the withholding factors, the department
66 15 shall strive to minimize changes to the withholding factors
66 16 for those ending balance percentage ranges that are lower than
66 17 others and shall not adjust the zero withholding factor or the

66 18 inflation adjustment percentage specified in subsection 6,
66 19 paragraph "a".

66 20 Sec. 47. Section 331.439, subsection 1, paragraph a, Code
66 21 Supplement 2007, is amended to read as follows:
66 22 a. The county accurately reported by December 1 the
66 23 county's expenditures for mental health, mental retardation,
66 24 and developmental disabilities services and the information
66 25 required under section 225C.6A, subsection 2, paragraph "c",
66 26 for the previous fiscal year on forms prescribed by rules
66 27 adopted by the state commission. If the department determines
66 28 good cause exists, the department may extend a deadline
66 29 otherwise imposed under this chapter, chapter 225C, or chapter
66 30 426B for a county's reporting concerning mental health, mental
66 31 retardation, or developmental disabilities services or related
66 32 revenues and expenditures.

CODE: Gives the Department of Human Services the authority to extend the deadline for counties to submit their MH/MR/DD expenditure report if good cause is shown.

66 33 Sec. 48. COUNTY=STATE SHARED FUNDING FOR MENTAL HEALTH AND
66 34 DISABILITY SERVICES COVERED BY THE MEDICAID PROGRAM.

66 35 1. The legislative council is requested to authorize for
67 1 the 2008 legislative interim a task force to consider
67 2 county=state shared funding for mental health and disability
67 3 services covered by the Medicaid program. The membership of
67 4 the task force should include five legislators from each
67 5 chamber, one member of the mental health, mental retardation,
67 6 developmental disabilities, and brain injury (MH/MR/DD/BI)
67 7 commission; three members of county boards of supervisors,
67 8 with one each from a large, medium, and small population
67 9 county; three staff members from the county central point of
67 10 coordination (CPC) office, with one each from a large, medium,
67 11 and small population county; two individuals representing
67 12 advocacy organizations, one of which shall be the governor's
67 13 developmental disabilities council; one current consumer of
67 14 county MH/MR/DD services; and one MH/MR/DD/BI service provider
67 15 representative from each of the state's five congressional
67 16 districts.

Requests the Legislative Council to authorize an interim task force to review Mental Health Funding for services covered by the Medicaid Program and to submit a final report to the General Assembly.

67 17 2. The task force should be charged to review and estimate
67 18 the shared impact for the state and for Iowa counties if
67 19 financial responsibility for the nonfederal share of the costs
67 20 of mental health and disability services covered under the
67 21 Medicaid program is shifted from counties to the state. The
67 22 task force should be charged to develop an eight-year
67 23 transition plan that reflects the shared responsibility of
67 24 costs and service delivery resulting from the shift in
67 25 responsibilities. It is the intent of the general assembly
67 26 that the task force will be formed by June 15, 2008, and meet
67 27 a minimum of four times in 2008.

67 28 3. In addition to legislative staff, representatives of
67 29 the department of management, the Iowa state association of
67 30 counties, the department of human services, association of
67 31 community providers, and Iowa substance abuse program
67 32 directors association shall comprise a team of resource
67 33 experts to the task force.

67 34 4. The task force's final report for consideration by the
67 35 2009 regular session of the general assembly and governor
68 1 shall include findings and recommendations and a service
68 2 delivery and funding transition plan.

68 3 Sec. 49. COMMUNITY MENTAL HEALTH CENTER LAW UPDATE.

68 4 1. The administrator of the division of mental health and
68 5 disability services of the department of human services shall
68 6 appoint a stakeholder advisory committee to develop a proposal
68 7 for updating and revising Code chapter 230A, relating to
68 8 community mental health centers, and for revising the
68 9 accreditation standards in rule that would result from the
68 10 statutory revisions.

68 11 2. The membership of the advisory committee shall include
68 12 representatives of the boards of directors and professional
68 13 staff of community mental health centers and division staff.
68 14 At least one member of the advisory committee shall be a
68 15 member of a county board of supervisors and one member shall
68 16 be a county central point of coordination administrator. The
68 17 division administrator may engage the services of expert

Provides for a moratorium of designating entities as community mental health centers. Requires the DHS to appoint an Advisory Committee for revision of accreditation standards and updates in Statutory provisions.

68 18 technical advisors to support the advisory committee in its
68 19 work.
68 20 3. The advisory committee recommendations shall include
68 21 but are not limited to addressing Code chapter 230A
68 22 requirements in the following areas: establishment and
68 23 support of community mental health centers, services offered,
68 24 consumer and family involvement, capability to address
68 25 co-occurring disorders, forms of organization, board of
68 26 directors, organization meetings, duties and powers of
68 27 directors, center organization as a nonprofit entity, annual
68 28 budget, financial support of centers through federal and state
68 29 block grants, comprehensive community mental health programs,
68 30 target populations to be served, emergency mental health
68 31 crisis services, quality improvement programs, use of
68 32 evidence-based practices, use of functional assessments and
68 33 outcomes measures, establishment of standards, and review and
68 34 evaluation processes.
68 35 4. The advisory committee shall submit its report with
69 1 findings and recommendations to the governor and general
69 2 assembly on or before December 1, 2008. Until the advisory
69 3 committee report has been considered and acted upon by the
69 4 general assembly, the division administrator may defer
69 5 consideration of requests for accreditation of a new community
69 6 mental health center or for approval of a provider to fill the
69 7 role of a community mental health center.

69 8 DIVISION IV

69 9 HEALTH CARE TRUST FUND APPROPRIATIONS ==
69 10 HEALTH CARE ACTIVITIES

69 11 Sec. 50. DEPARTMENT OF PUBLIC HEALTH. The allocations
69 12 made in this section may include amounts carried forward from
69 13 appropriations and allocations made for the same purposes in
69 14 the previous fiscal year. In addition to any other
69 15 appropriation made in this Act for the purposes designated,

Health Care Trust Fund appropriation to the Addictive Disorders Program.

DETAIL: This is a decrease of \$4,038,590 and an increase of 1.00 FTE position compared to the FY 2008 appropriation. An additional

69 16 there is appropriated from the health care trust fund created
 69 17 in section 453A.35A to the department of public health for the
 69 18 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 69 19 the following amounts, or so much thereof as is necessary, for
 69 20 the purposes designated, and for not more than the following
 69 21 full-time equivalent positions:
 69 22 1. ADDICTIVE DISORDERS
 69 23 \$ 2,955,164
 69 24 FTEs 5.00

\$1,532,149 is provided to the Addictive Disorders Program from the General Fund in Division I. The decrease from the Health Care Trust Fund (HCTF) includes:

- A decrease of \$34,000 for the one-time FY 2008 carryforward expected from the Cultural Competency Funding available for FY 2009.
- A decrease of \$613,000 by reducing gambling treatment advertising in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.
- A decrease of \$1,850,000 by reducing gambling treatment services in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.
- A decrease of \$525,000 available for Addictive Disorders in the Gambling Treatment Fund from one-time FY 2008 carryforward as a result of a Governor's veto.
- A decrease of \$140,590 for the expected FY 2008 carryforward available for FY 2009 from the Tobacco and Use Prevention allocation.
- A decrease of \$126,000 for a reduction in tobacco prevention advertising compared to the amount utilized in FY 2008.
- A decrease of \$750,000 from a possible FY 2008 carryforward to FY 2009 from the Tobacco and Use Prevention allocation.

69 25 a. Of the funds appropriated in this subsection, \$450,000
 69 26 shall be used for culturally competent substance abuse
 69 27 treatment pilot projects.

69 28 (1) The department shall utilize the amount allocated in
 69 29 this lettered paragraph for at least three pilot projects to
 69 30 provide culturally competent substance abuse treatment in
 69 31 various areas of the state. Each pilot project shall target a
 69 32 particular ethnic minority population. The populations
 69 33 targeted shall include but are not limited to
 69 34 African-American, Asian, and Latino.

69 35 (2) The pilot project requirements shall provide for
 70 1 documentation or other means to ensure access to the cultural
 70 2 competence approach used by a pilot project so that such

Allocates \$450,000 for implementation of three culturally competent substance abuse treatment pilot projects and specifies project requirements.

DETAIL: Maintains current level of funding for the allocation.

70 3 approach can be replicated and improved upon in successor
70 4 programs.

70 5 b. Of the funds appropriated in this subsection,
70 6 \$2,747,754 shall be used for tobacco use prevention,
70 7 cessation, and treatment. The department shall utilize the
70 8 funds to provide for a variety of activities related to
70 9 tobacco use prevention, cessation, and treatment including to
70 10 support Quitline Iowa, QuitNet cessation counseling and
70 11 education, grants to school districts and community
70 12 organizations to support Just Eliminate Lies youth chapters
70 13 and youth tobacco prevention activities, the Just Eliminate
70 14 Lies tobacco prevention media campaign, nicotine replacement
70 15 therapy, and other prevention and cessation materials and
70 16 media promotion. Of the funds allocated in this lettered
70 17 paragraph, \$255,000 may be utilized by the department for
70 18 administrative purposes.

Allocates \$2,747,754 for tobacco use prevention, cessation, and treatment, and specifies the activities to be funded.

DETAIL: This is a decrease of \$3,114,000 compared to the FY 2008 allocation. This is expected to be an allocation of \$3,360,754 when combining the tobacco use prevention allocation within the Gambling Treatment Fund Addictive Disorders allocation. The total of \$3,360,754 is a decrease of \$2,501,000 compared to the FY 2008 allocation for the reduction for the advertising costs and decreased smoking efforts.

Permits \$255,000 for DPH administrative costs. This is no change compared to FY 2008.

70 19 c. Of the funds appropriated in this subsection, \$682,000
70 20 shall be used for substance abuse treatment activities.

Allocates \$682,000 for substance abuse treatment.

DETAIL: This is no change from the FY 2008 allocation.

70 21 2. HEALTHY CHILDREN AND FAMILIES
70 22 \$ 667,700
70 23 FTEs 1.00

Health Care Trust Fund appropriation to the Healthy Children and Families Program.

DETAIL: This is a decrease of \$19,800 and an increase of 0.50 FTE position compared to the FY 2008 appropriation for one-time funding available from the FY 2008 allocation for the Tissue Bank. An additional \$2,436,913 is provided to the Healthy Children and Families Program from the General Fund in Division I.

70 24 a. Of the funds appropriated in this subsection, \$200,000
70 25 shall be used to address the healthy mental development of
70 26 children from birth through five years of age through local
70 27 evidence-based strategies that engage both the public and

Allocates \$200,000 for the Assuring Better Child Health and Development Program (ABCD II).

DETAIL: Maintains the current allocation level. An additional \$325,000 is allocated from the General Fund for this purpose in

70 28 private sectors in promoting healthy development, prevention,
70 29 and treatment for children.

Division I.

70 30 b. Of the funds appropriated in this subsection, \$180,000
70 31 shall be used for childhood obesity prevention.

Allocates \$180,000 for childhood obesity prevention.

DETAIL: Maintains the current allocation level.

70 32 c. Of the funds appropriated in this subsection, \$39,000
70 33 shall be used for the dental screening of children program
70 34 pursuant to 2007 Iowa Acts, chapter 146, section 1.

Allocates \$39,000 for child dental screenings, contingent on the passage of HF 906 (Dental Screening for Children Program Act).

DETAIL: Maintains the current allocation level.

70 35 d. Of the funds appropriated in this subsection, \$10,000
71 1 shall be used for public health education and awareness of the
71 2 children's vision initiatives, including the InfantSee program
71 3 and the student vision program, administered through a
71 4 statewide association of optometric professionals for infants
71 5 and preschool children.

Allocates \$10,000 for public health education and awareness of children's vision initiatives.

DETAIL: Maintains the current allocation level.

71 6 e. Of the funds appropriated in this subsection, \$238,500
71 7 shall be used to provide audiological services and hearing
71 8 aids for children. The department may enter into a contract
71 9 to administer this paragraph.

Allocates \$238,500 for audiological services and hearing aids for children.

DETAIL: Maintains the current allocation level.

71 10 f. It is the intent of the general assembly that the
71 11 department of public health shall implement the
71 12 recommendations of the postnatal tissue and fluid bank task
71 13 force created in 2007 Iowa Acts, chapter 147, based upon the
71 14 report submitted to the general assembly in November 2007, as
71 15 funding becomes available. The department shall notify the
71 16 Iowa Code editor and the persons specified in this Act to
71 17 receive reports when such funding becomes available.

Specifies legislative intent that the DPH continue to implement the recommendations of the Postnatal Tissue and Fluid Bank Task Force.

DETAIL: With FY 2008 carryforward funding of \$19,800 and \$200 within the FY 2009 appropriation for this Section, a total of \$20,000 is available in FY 2009.

71 18 3. CHRONIC CONDITIONS

Health Care Trust Fund appropriation to the Chronic Conditions

PG LN

LSB5002S

Explanation

71 19 \$ 1,164,181

71 20 FTEs 1.00

Program.

DETAIL: This is a decrease of \$24,800 and no change in FTE positions compared to the FY 2008 appropriation. An additional \$2,342,840 is provided to the Chronic Conditions Program from the General Fund in Division I. The change from the HCTF includes:

- A decrease of \$10,000 for expected carryforward funds from the Iowa Consortium for Comprehensive Cancer Control (ICCCC) FY 2008 funding.
- A decrease of \$4,800 for expected carryforward funds from the Hemophilia Advisory Council FY 2008 funding.
- A decrease of \$10,000 to reflect the elimination of funding for extracorporeal support.

71 21 a. Of the funds appropriated in this subsection, \$473,981

71 22 shall be used for child health specialty clinics.

Allocates \$473,981 for additional funding for child health specialty clinics.

DETAIL: Maintains the current allocation level. This is in addition to the current \$468,865 in General Fund appropriations provided for this purpose.

71 23 b. Of the funds appropriated in this subsection, \$500,000

71 24 shall be used for the comprehensive cancer control program to

71 25 reduce the burden of cancer in Iowa through prevention, early

71 26 detection, effective treatment, and ensuring quality of life.

71 27 The department shall utilize one of the full-time equivalent

71 28 positions authorized in this subsection for administration of

71 29 the activities related to the comprehensive cancer control

71 30 program.

Allocates \$500,000 and 1.00 FTE position for the Iowa Consortium for Comprehensive Cancer Control.

DETAIL: Maintains the current allocation level when adding the FY 2008 carryforward of \$10,000.

71 31 c. Of the funds appropriated in this subsection, \$5,000

71 32 shall be used for the hemophilia advisory council pursuant to

71 33 chapter 135N.

Allocates \$5,000 to implement the Hemophilia Advisory Council.

DETAIL: Maintains the current allocation level when adding the expected carryforward of \$4,800.

71 34 d. Of the funds appropriated in this subsection, \$200,000
 71 35 shall be used for cervical and colon cancer screening.

Allocates \$200,000 for cervical and colon cancer screening.

DETAIL: Maintains the current allocation level.

72 1 4. COMMUNITY CAPACITY
 72 2 \$ 2,790,000
 72 3 FTEs 6.00

Health Care Trust Fund appropriation to the Community Capacity Program.

DETAIL: Maintains the current level of appropriation and provides an increase of 4.00 FTE positions compared to the estimated FY 2008 appropriation and positions. An additional \$1,760,532 is provided to the Community Capacity Program from the General Fund in Division I.

72 4 a. Of the funds appropriated in this subsection, \$75,000
 72 5 shall be used for local public health infrastructure to
 72 6 examine minimum standards for local public health.

Allocates \$75,000 for local public health redesign efforts.

DETAIL: Maintains the current allocation level.

72 7 b. Of the funds appropriated in this subsection, \$200,000
 72 8 shall be used for the mental health professional shortage area
 72 9 program implemented pursuant to section 135.80.

Allocates \$200,000 for the Mental Health Professional Shortage Area Program.

DETAIL: Maintains the current allocation level.

72 10 c. Of the funds appropriated in this subsection, \$50,000
 72 11 shall be used for a grant to a statewide association of
 72 12 psychologists that is affiliated with the American
 72 13 psychological association to be used for continuation of a
 72 14 program to rotate intern psychologists in placements in urban
 72 15 and rural mental health professional shortage areas, as
 72 16 defined in section 135.80.

Allocates \$50,000 to implement a rotation program for intern psychologists in urban and rural mental health professional shortage areas.

DETAIL: Maintains the current allocation level.

72 17 d. Of the funds appropriated in this subsection, the
 72 18 following amounts shall be allocated to the Iowa collaborative
 72 19 safety net provider network established pursuant to section
 72 20 135.153 to be used for the purposes designated:

Provides for allocations to the Iowa Collaborative Safety Net Provider Network.

72 21 (1) For distribution to the Iowa=Nebraska primary care

Allocates \$100,000 for the Iowa Collaborative Safety Net Provider

72 22	association for statewide coordination of the Iowa	Network.
72 23	collaborative safety net provider network:	
72 24	..... \$ 100,000	DETAIL: Maintains the current allocation level.
72 25	(2) For distribution to the Iowa family planning network	Allocates \$100,000 for family planning network agencies to assist
72 26	agencies for necessary infrastructure, statewide coordination,	patients in finding an appropriate medical home.
72 27	provider recruitment, service delivery, and provision of	
72 28	assistance to patients in determining an appropriate medical	DETAIL: Maintains the current allocation level.
72 29	home:	
72 30	..... \$ 100,000	
72 31	(3) For distribution to the local boards of health that	Allocates \$100,000 for local board of health pilot programs in three
72 32	provide direct services for pilot programs in three counties	counties to assist patients in finding an appropriate medical home.
72 33	to assist patients in determining an appropriate medical home:	
72 34	..... \$ 100,000	DETAIL: Maintains the current allocation level.
72 35	(4) For distribution to maternal and child health centers	Allocates \$100,000 for three child and maternal health center pilot
73 1	for pilot programs in three counties to assist patients in	programs to assist patients in finding an appropriate medical home.
73 2	determining an appropriate medical home:	
73 3	..... \$ 100,000	DETAIL: Maintains the current allocation level.
73 4	(5) For distribution to free clinics for necessary	Allocates \$250,000 for free clinics to assist patients in finding an
73 5	infrastructure, statewide coordination, provider recruitment,	appropriate medical home.
73 6	service delivery, and provision of assistance to patients in	
73 7	determining an appropriate medical home:	DETAIL: Maintains the current allocation level.
73 8	..... \$ 250,000	
73 9	(6) For distribution to rural health clinics for necessary	Allocates \$150,000 for rural health clinics to assist patients in finding
73 10	infrastructure, statewide coordination, provider recruitment,	an appropriate medical home.
73 11	service delivery, and provision of assistance to patients in	
73 12	determining an appropriate medical home:	DETAIL: Maintains the current allocation level.
73 13	..... \$ 150,000	

73 14	(7) For continuation of the safety net provider patient	Allocates \$400,000 for the safety net provider patient access to
73 15	access to specialty health care initiative as described in	specialty care initiative.
73 16	2007 Iowa Acts, ch. 218, section 109:	
73 17	..... \$ 400,000	DETAIL: Maintains the current allocation level.
73 18	(8) For continuation of the pharmaceutical infrastructure	Allocates \$400,000 for the pharmaceutical infrastructure for safety net
73 19	for safety net providers as described in 2007 Iowa Acts, ch.	providers.
73 20	218, section 108:	
73 21	..... \$ 400,000	DETAIL: Maintains the current allocation level.
73 22	e. Of the funds appropriated in this subsection, \$650,000	Allocates \$650,000 for the Incubation Grant Program for Community
73 23	shall be used for the incubation grant program to community	Health Centers.
73 24	health centers that receive a total score of 85 based on the	
73 25	evaluation criteria of the health resources and services	DETAIL: Maintains the current allocation level.
73 26	administration of the United States department of health and	
73 27	human services.	
73 28	f. Of the funds appropriated in this subsection, \$140,000	Allocates \$140,000 to enhance the recruitment and retention of direct
73 29	shall be used for implementation of the recommendations of the	care workers in health and long-term care.
73 30	direct care worker task force established pursuant to 2005	
73 31	Iowa Acts, chapter 88, based upon the report submitted to the	DETAIL: Maintains the current allocation level.
73 32	governor and the general assembly in December 2006.	
73 33	g. Of the funds appropriated in this subsection, \$75,000	Allocates \$75,000 for the implementation of the recommendations of
73 34	shall be used for allocation to an independent statewide	the Direct Care Worker Task Force.
73 35	direct care worker association for education, outreach,	
74 1	leadership development, mentoring, and other initiatives	DETAIL: Maintains the current allocation level.
74 2	intended to enhance the recruitment and retention of direct	
74 3	care workers in health and long-term care.	
74 4	h. The department shall utilize one of the full-time	Requires the Department to utilize 1.00 FTE position for
74 5	equivalent positions authorized in this subsection for	administration of activities related to the Iowa Collaborative Safety Net
74 6	administration of the activities related to the Iowa	Provider Network.

74 7 collaborative safety net provider network.

74 8 i. The department shall utilize one of the full-time
74 9 equivalent positions authorized in this subsection for
74 10 administration of the voluntary health care provider program
74 11 pursuant to section 135.24.

Requires the Department to utilize 1.00 FTE position for administration of the Voluntary Health Care Provider Program.

74 12 Sec. 51. DEPARTMENT OF HUMAN SERVICES. In addition to any
74 13 other appropriation made in this Act for the purposes
74 14 designated, there is appropriated from the health care trust
74 15 fund created in section 453A.35A to the department of human
74 16 services for the fiscal year beginning July 1, 2008, and
74 17 ending June 30, 2009, the following amounts, or so much
74 18 thereof as is necessary, for the purposes designated:

74 19 1. MEDICAL ASSISTANCE
74 20 \$113,690,856

Health Care Trust Fund appropriation to the Medicaid Program.

DETAIL: This is an increase of \$14,172,760 compared to the estimated FY 2008 appropriation.

74 21 Of the funds appropriated in this subsection, \$250,000
74 22 shall be used for the grant to the Iowa healthcare
74 23 collaborative as described in section 135.40.

Allocates \$250,000 for the Iowa Healthcare Collaborative.

DETAIL: Maintains the current level of HCTF support. An additional \$250,000 is allocated from the General Fund for this purpose under the Medical Assistance appropriation.

74 24 2. MH/MR/DD ALLOWED GROWTH FACTOR
74 25 \$ 7,592,099

Health Care Trust Fund appropriation for the Mental Health, Mental Retardation, and Developmental Disabilities Growth Factor.

DETAIL: Maintains the current level of HCTF support.

74 26 The funds appropriated in this subsection shall be credited
74 27 to the property tax relief fund created in section 426B.1.

Requires the \$7,592,099 appropriation from the Health Care Trust Fund to be credited to the Property Tax Relief Fund. The same amount is reappropriated from the Property Tax Relief Fund to permit

the merging of multiple funding sources and a single distribution methodology for mental health allowed growth to counties.

74 28 Sec. 52. IOWACARE PROVIDER NETWORK EXPANSION. The
74 29 director of human services shall aggressively pursue options
74 30 to expand the expansion population provider network for the
74 31 IowaCare program pursuant to chapter 249J. The department may
74 32 expand the expansion population provider network if sufficient
74 33 unencumbered certified local matching funds are available to
74 34 cover the state share of the costs of services provided to the
74 35 expansion population or if an alternative funding source is
75 1 identified to cover the state share.

Requires the Director of the DHS to pursue options to expand the IowaCare provider network.

75 2 Sec. 53. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE
75 3 COMPETENCIES.
75 4 1. The department of public health shall continue during
75 5 the fiscal year beginning July 1, 2008, the collaborative work
75 6 with the departments of corrections, education, elder affairs,
75 7 and human services, and other state agencies, commenced
75 8 pursuant to 2007 Iowa Acts, ch. 218, section 111, to enhance
75 9 the workforce competencies of professional and direct care
75 10 staff who provide behavioral health services, including but
75 11 not limited to all of the following:
75 12 a. Treatment of persons with co-occurring mental health
75 13 and substance use disorders.
75 14 b. Treatment of children with mental health or substance
75 15 use disorders.
75 16 c. Treatment of persons with serious mental illness.
75 17 d. Treatment of veterans of United States or Iowa military
75 18 service with mental health or substance use disorders.
75 19 e. Treatment of older adults with mental health or
75 20 substance use disorders.
75 21 2. The department's collaborative effort shall utilize the
75 22 findings of the substance abuse and mental health services
75 23 administration of the United States department of health and

Requires the Department of Public Health to continue the collaboration with various other State agencies in FY 2009 to improve the workforce skills of professional and direct care staff that provide behavioral health services. Requires the use of findings from the U.S. Department of Health and Human Services, and the Annapolis Coalition to implement efforts to improve skills.

75 24 human services and materials developed by the Annapolis
 75 25 coalition on the behavioral health workforce in planning and
 75 26 implementing efforts to enhance the competency-based training
 75 27 of the state's behavioral health workforce.

75 28 DIVISION V

75 29 APPROPRIATION=RELATED CHANGES == EFFECTIVE DATE

75 30 Sec. 54. Section 35D.18, subsection 5, Code 2007, is
 75 31 amended to read as follows:
 75 32 5. Notwithstanding section 8.33, ~~up to five hundred~~
 75 33 ~~thousand dollars of~~ any balance in the Iowa veterans home
 75 34 ~~revenue~~ annual appropriation or revenues that ~~remain~~ remains
 75 35 unencumbered or unobligated at the close of the fiscal year
 76 1 shall not revert but shall remain available for expenditure
 76 2 for specified purposes of the Iowa veterans home until the
 76 3 close of the succeeding fiscal year.

CODE: Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. This Section takes effect on enactment to allow additional carryforward funds for the general operating budget of the Home in FY 2009. The estimated FY 2008 carryforward is \$3,000,000.

76 4 JUVENILE DETENTION HOME FUND

76 5 Sec. 55. HEALTHY IOWANS TOBACCO TRUST. There is
 76 6 appropriated from the healthy Iowans tobacco trust created in
 76 7 section 12.65, to the department of human services for the
 76 8 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 76 9 for deposit in the juvenile detention home fund created in
 76 10 section 232.142:
 76 11 \$ 1,000,000

Healthy Iowans Tobacco Trust FY 2008 supplemental appropriation to the Juvenile Detention Fund.

DETAIL: This Section takes effect on enactment.

76 12 CHILD WELFARE DECATEGORIZATION
 76 13 FY 2006=2007 NONREVERSION

76 14 Sec. 56. 2006 Iowa Acts, chapter 1184, section 17,

CODE: Transfers \$3,605,000 from the FY 2007 child welfare funds

76 15 subsection 4, is amended by adding the following new
 76 16 unnumbered paragraph:
 76 17 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 232.188,
 76 18 subsection 5, up to \$3,605,000 of the moneys in the
 76 19 allocations made in this subsection or made from any other
 76 20 source for the decategorization of child welfare and juvenile
 76 21 justice funding initiative under section 232.188, that are
 76 22 designated as carryover funding and that remain unencumbered
 76 23 or unobligated at the close of the fiscal year beginning July
 76 24 1, 2007, shall not revert but shall remain available for
 76 25 expenditure until the close of the succeeding fiscal year to
 76 26 be used for the purposes of continuing the initiative in the
 76 27 succeeding fiscal year.

that were set aside for use in FY 2008 for decategorization to be used to supplement the FY 2009 child welfare appropriation.

DETAIL: This \$3,605,000 would revert to the State General Fund at the end of FY 2008. The Section takes effective on enactment.

76 28 VIETNAM CONFLICT VETERANS BONUS FUND

76 29 Sec. 57. 2007 Iowa Acts, chapter 176, section 3, is
 76 30 amended by adding the following new unnumbered paragraph:
 76 31 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33,
 76 32 moneys appropriated in this section that remain unencumbered
 76 33 or unobligated at the close of the fiscal year shall not
 76 34 revert but shall remain available for expenditure for the
 76 35 purposes designated until the close of the succeeding fiscal
 77 1 year.

CODE: Permits the carryforward of the FY 2008 funds remaining from the Vietnam Conflict Veterans Bonus Fund.

DETAIL: The estimated carryforward is \$250,000. This Section takes effect on enactment.

77 2 INJURED VETERANS GRANT PROGRAM

77 3 Sec. 58. 2006 Iowa Acts, chapter 1184, section 5, as
 77 4 enacted by 2007 Iowa Acts, chapter 203, section 1, subsection
 77 5 4, unnumbered paragraph 2, is amended to read as follows:
 77 6 Notwithstanding section 8.33, moneys appropriated in this
 77 7 subsection that remain unencumbered or unobligated at the
 77 8 close of the fiscal year shall not revert but shall remain
 77 9 available for expenditure for the purposes designated until
 77 10 the close of the ~~succeeding~~ fiscal year beginning July 1,

CODE: Permits the carryforward of funds remaining in the Injured Veterans Grant Program to FY 2009.

DETAIL: This appropriation is from FY 2007 as amended in FY 2008. The estimated FY 2008 carryforward is \$1,000,000. The Section takes effect on enactment.

77 11 2008 .

77 12 DEPARTMENT OF ELDER AFFAIRS == LIVABLE
77 13 COMMUNITY INITIATIVE

77 14 Sec. 59. 2007 Iowa Acts, chapter 215, section 32, is
77 15 amended by adding the following new subsection:
77 16 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys
77 17 appropriated in this section that remain unencumbered or
77 18 unobligated at the close of the fiscal year shall not revert
77 19 but shall remain available for expenditure for the purposes
77 20 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of an estimated \$50,000 of the FY 2008 appropriation to the Department of Elder Affairs for the Livable Community Initiative to FY 2009. This Section takes effect on enactment.

77 21 CHRONIC CONDITIONS == PKU

77 22 Sec. 60. 2007 Iowa Acts, chapter 218, section 2,
77 23 subsection 3, unnumbered paragraph 2, is amended to read as
77 24 follows:

77 25 Of the funds appropriated in this subsection, \$100,000
77 26 shall be used as additional funding to provide grants to
77 27 individual patients who have phenylketonuria (PKU) to assist
77 28 with the costs of necessary special foods. Notwithstanding
77 29 section 8.33, moneys appropriated in this subsection and
77 30 allocated in this paragraph that remain unencumbered or
77 31 unobligated at the close of the fiscal year shall not revert
77 32 but shall remain available for expenditure for the purposes
77 33 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of FY 2008 funds from the allocation for Phenylketonuria (PKU) to FY 2009.

DETAIL: There is an estimated \$100,000 available to carry forward to FY 2009. This Section takes effect on enactment.

77 34 PUBLIC PROTECTION == ANTIVIRAL STOCKPILE

77 35 Sec. 61. 2007 Iowa Acts, chapter 218, section 2,
78 1 subsection 8, paragraph d, is amended to read as follows:
78 2 d. Of the funds appropriated in this subsection, \$150,000
78 3 shall be used for management of the antiviral stockpile.

CODE: Permits the carryforward of FY 2008 funds from the DPH antiviral stockpile costs.

DETAIL: The estimated carryforward is \$37,145. The Section takes

78 4 Notwithstanding section 8.33, moneys appropriated in this
 78 5 subsection and allocated in this paragraph that remain
 78 6 unencumbered or unobligated at the close of the fiscal year
 78 7 shall not revert but shall remain available for expenditure
 78 8 for the purposes designated until the close of the succeeding
 78 9 fiscal year.

effect on enactment.

78 10 DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

78 11 Sec. 62. 2007 Iowa Acts, chapter 218, section 4,
 78 12 subsection 1, is amended by adding the following new
 78 13 unnumbered paragraph:
 78 14 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33, up
 78 15 to \$100,000 of the moneys appropriated in this subsection that
 78 16 remain unencumbered or unobligated at the close of the fiscal
 78 17 year shall not revert but shall remain available for
 78 18 expenditure for the purposes designated in this paragraph
 78 19 until the close of the succeeding fiscal year. The purposes
 78 20 shall include the sign for the veterans cemetery and other
 78 21 necessary expenses.

CODE: Permits carryforward of the funds remaining from the FY 2008 appropriation to the Department of Veterans Affairs to be used for the Iowa Cemetery signage and other necessary expenses.

DETAIL: It is estimated that \$100,000 will carry forward to FY 2009. The cemetery signage is expected to receive \$40,000 and \$60,000 is expected to be expended for various building improvements, technology, and administrative costs. The Section takes effect on enactment.

78 22 COUNTY GRANT PROGRAM

78 23 Sec. 63. 2007 Iowa Acts, chapter 218, section 4,
 78 24 subsection 4, unnumbered paragraph 3, is amended to read as
 78 25 follows:
 78 26 Notwithstanding section 8.33, moneys appropriated in this
 78 27 subsection that remain unencumbered or unobligated at the
 78 28 close of the fiscal year shall not revert to the fund from
 78 29 ~~which appropriated but shall be credited to the veterans trust~~
 78 30 ~~fund~~ but shall remain available for expenditure for the
 78 31 purposes designated until the close of the succeeding fiscal
 78 32 year .

CODE: Permits carryforward of FY 2008 funds for the County Veteran Grant Program.

DETAIL: It is estimated that \$200,000 will carry forward to FY 2009. The Section takes effect on enactment.

78 33 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

78 34 BLOCK GRANT == CHILD CARE

78 35 Sec. 64. 2007 Iowa Acts, chapter 218, section 7,
 79 1 subsections 1 and 7, are amended to read as follows:
 79 2 1. To be credited to the family investment program account
 79 3 and used for assistance under the family investment program
 79 4 under chapter 239B:
 79 5 \$ 36,890,944
 79 6 30,390,944

CODE: Decreases the FY 2008 appropriation from TANF to the Family Investment Program.

DETAIL: This is a decrease of \$6,500,000 from the FY 2008 TANF appropriation.

79 7 7. For state child care assistance:
 79 8 \$ 18,986,177
 79 9 25,486,177
 79 10 a. Of the funds appropriated in this subsection, up to
 79 11 \$18,986,177 shall be transferred to the child care and
 79 12 development block grant appropriation made for the federal
 79 13 fiscal year beginning October 1, 2007, and ending September
 79 14 30, 2008, in 2007 Iowa Acts, ch. 204, section 14. Of this
 79 15 amount, \$200,000 shall be used for provision of educational
 79 16 opportunities to registered child care home providers in order
 79 17 to improve services and programs offered by this category of
 79 18 providers and to increase the number of providers. The
 79 19 department may contract with institutions of higher education
 79 20 or child care resource and referral centers to provide the
 79 21 educational opportunities. Allowable administrative costs
 79 22 under the contracts shall not exceed 5 percent. The
 79 23 application for a grant shall not exceed two pages in length.
 79 24 b. ~~The~~ Any funds appropriated in this subsection ~~shall be~~
 79 25 ~~transferred to the child care and development block grant~~
 79 26 ~~appropriation~~ that remain unallocated shall be used for state
 79 27 child care assistance payments for individuals enrolled in the
 79 28 family investment program who are employed .

CODE: FY 2008 TANF supplemental appropriation of \$6,500,000 for child care assistance.

DETAIL: This increase of FY 2008 TANF monies allows the Department to utilize an additional \$6,500,000 for direct child care assistance for FIP families.

79 29 CHILDREN'S HEALTH INSURANCE PROGRAM

79 30 Sec. 65. 2007 Iowa Acts, chapter 218, section 15, is

CODE: Requires nonreversion of \$441,000 of the State Children's

79 31 amended by adding the following new subsection:
79 32 NEW SUBSECTION . 4. Notwithstanding sections 8.33 and
79 33 514I.11, up to \$441,000 of the moneys appropriated in this
79 34 section that remain unencumbered or unobligated at the close
79 35 of the fiscal year shall not revert to any other fund but
80 1 shall instead be transferred to the appropriation made in
80 2 section 16 of this Act for child care assistance to be used
80 3 for the state child care assistance program until the close of
80 4 the succeeding fiscal year.

Health Insurance Program appropriation for transfer to the Child Care Assistance appropriation.

80 5 CHILD AND FAMILY SERVICES
80 6 TRANSFER FOR CHILD CARE

80 7 Sec. 66. 2007 Iowa Acts, chapter 218, section 18,
80 8 subsection 3, is amended to read as follows:
80 9 3. The department may transfer funds appropriated in this
80 10 section as necessary to pay the nonfederal costs of services
80 11 reimbursed under the medical assistance program , the state
80 12 child care assistance program, or the family investment
80 13 program which are provided to children who would otherwise
80 14 receive services paid under the appropriation in this section.
80 15 The department may transfer funds appropriated in this section
80 16 to the appropriations in this division of this Act for general
80 17 administration and for field operations for resources
80 18 necessary to implement and operate the services funded in this
80 19 section.

CODE: Permits the DHS to transfer funds from the FY 2008 Child and Family Services appropriation to the State Child Care Assistance Program.

80 20 CHILD WELFARE DECATEGORIZATION
80 21 FY 2007=2008 NONREVERSION

80 22 Sec. 67. 2007 Iowa Acts, chapter 218, section 18,
80 23 subsection 5, is amended to read as follows:
80 24 5. In accordance with the provisions of section 232.188,
80 25 the department shall continue the child welfare and juvenile
80 26 justice funding initiative. Of the funds appropriated in this

CODE: Permits the DHS to carry forward up to \$6,100,000 from one-time funds remaining in child welfare resulting from the payment methodology redesign in FY 2008 to be used for the Child Care Subsidy Program in FY 2009.

80 27 section, \$2,605,000 is allocated specifically for expenditure
80 28 through the decategorization service funding pools and
80 29 governance boards established pursuant to section 232.188. In
80 30 addition, up to \$1,000,000 of the amount of federal temporary
80 31 assistance for needy families block grant funding appropriated
80 32 in this division of this Act for child and family services
80 33 shall be made available for purposes of the decategorization
80 34 initiative as provided in this subsection. However,
80 35 notwithstanding section 232.188, subsection 5, up to
81 1 \$6,100,000 of the moneys in the allocations made in this
81 2 subsection or made from any other source for the
81 3 decategorization of child welfare funding under section
81 4 232.188, that would otherwise be designated as carryover
81 5 funding and that remain unencumbered or unobligated at the
81 6 close of the fiscal year shall instead be transferred to the
81 7 appropriation made in section 16 of this Act for child care
81 8 assistance to be used for the state child care assistance
81 9 program until the close of the succeeding fiscal year.

DETAIL: This Section takes effect on enactment.

81 10 CHILD AND FAMILY SERVICES
81 11 NONREVERSION FOR CHILD CARE

81 12 Sec. 68. 2007 Iowa Acts, chapter 218, section 18, is
81 13 amended by adding the following new subsection:
81 14 NEW SUBSECTION . 22. Notwithstanding section 8.33, up to
81 15 \$3,700,000 of the moneys appropriated in this section that
81 16 remain unencumbered or unobligated at the close of the fiscal
81 17 year shall not revert but shall instead be transferred to the
81 18 appropriation made in section 16 of this Act for child care
81 19 assistance to be used for the state child care assistance
81 20 program until the close of the succeeding fiscal year.

CODE: Permits carryforward of up to \$3,700,000 from FY 2008 child welfare funding to FY 2009 for the Child Care Subsidy Program.

DETAIL: This Section takes effect on enactment.

81 21 JUVENILE DETENTION FUNDING

81 22 Sec. 69. 2007 Iowa Acts, chapter 218, section 20, is

81 23 amended to read as follows:

81 24 SEC. 20. JUVENILE DETENTION HOME FUND. Moneys deposited
81 25 in the juvenile detention home fund created in section 232.142
81 26 during the fiscal year beginning July 1, 2007, and ending June
81 27 30, 2008, are appropriated to the department of human services
81 28 for the fiscal year beginning July 1, 2007, and ending June
81 29 30, 2008, for distribution as follows:

81 30 1. ~~An~~ The following amount which is equal to more than 10
81 31 percent of the costs of the establishment, improvement,
81 32 operation, and maintenance of county or multicounty juvenile
81 33 detention homes in the fiscal year beginning July 1, 2006.
81 34 Moneys appropriated for distribution in accordance with this
81 35 subsection shall be allocated among eligible detention homes,
82 1 prorated on the basis of an eligible detention home's
82 2 proportion of the costs of all eligible detention homes in the
82 3 fiscal year beginning July 1, 2006. ~~Notwithstanding section~~
82 4 ~~232.142, subsection 3, the financial aid payable by the state~~
82 5 ~~under that provision for the fiscal year beginning July 1,~~
82 6 ~~2007, shall be limited to the amount appropriated for the~~
82 7 ~~purposes of this subsection. ;~~

82 8 \$ 3,764,041

82 9 2. For renewal of a grant to a county with a population
82 10 between 189,000 and 196,000 in the latest preceding certified
82 11 federal census for implementation of the county's runaway
82 12 treatment plan under section 232.195:

82 13 \$ 80,000

82 14 3. For continuation and expansion of the community
82 15 partnership for child protection sites:

82 16 \$ 418,000

82 17 4. For continuation of the department's minority youth and
82 18 family projects under the redesign of the child welfare
82 19 system:

82 20 \$ 375,000

82 21 5. For funding of the state match for the federal
82 22 substance abuse and mental health services administration
82 23 (SAMHSA) system of care grant:

CODE: Changes the distribution of the FY 2008 Juvenile Detention Home Fund allocations as follows:

- Increases the Juvenile Detention Center initial allocation by \$2,000,000 from 10.00% of the FY 2007 expenditures to a specific amount. Eliminates the allocation that the Centers receive after all other allocations are made.
- Decreases the allocation for the State share of the federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant by \$100,000.
- Eliminates the \$1,324,000 allocation for group care and replaces it with the remaining unexpended amount in the Fund. It is estimated that \$797,027 will remain for this purpose.
- Eliminates the initial allocation in FY 2008 for the family training for nonlicensed relatives.

This Section takes effect on enactment.

PG LN

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Explanation

82 24 \$ 400,000
82 25 300,000
82 26 ~~6. For transfer to the appropriation made in this Act for~~
82 27 ~~child and family services to supplement the statewide~~
82 28 ~~expenditure target amount under section 232.143 designated in~~
82 29 ~~the appropriation made in this Act for child and family~~
82 30 ~~services:~~
82 31 \$ 1,324,000
82 32 ~~7. For training of nonlicensed relatives caring for~~
82 33 ~~children in the child welfare system:~~
82 34 \$ 276,000
82 35 ~~8. 6. The remainder for additional allocations to county~~
83 1 ~~or multicounty juvenile detention homes, in accordance with~~
83 2 ~~the distribution requirements of subsection 4 shall be~~
83 3 ~~credited to the appropriation made in section 18 of this Act~~
83 4 ~~for child and family services to supplement the statewide~~
83 5 ~~expenditure target amount under section 232.143 designated in~~
83 6 ~~that appropriation .~~

83 7 DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS

83 8 Sec. 70. 2007 Iowa Acts, chapter 218, section 28, is
83 9 amended by adding the following new subsection:
83 10 NEW SUBSECTION . 4. Notwithstanding section 8.33, up to
83 11 \$1,166,236 of the moneys appropriated in this section that
83 12 remain unencumbered or unobligated at the close of the fiscal
83 13 year shall not revert but shall remain available for
83 14 expenditure for the purposes designated until the close of the
83 15 succeeding fiscal year.

CODE: Permits a carry forward of up to \$1,166,236 from the FY 2008
DHS Field Operations appropriation to FY 2009 for Field Operations.

DETAIL: This Section takes effect on enactment.

83 16 DEPARTMENT OF HUMAN SERVICES GENERAL ADMINISTRATION

83 17 Sec. 71. 2007 Iowa Acts, chapter 218, section 29, is
83 18 amended by adding the following new subsections:

83 19 NEW SUBSECTION . 4. Of the funds appropriated in this
 83 20 section, \$1,000,000 is transferred to the juvenile detention
 83 21 home fund created in section 232.142.

CODE: Transfers \$1,000,000 of the FY 2008 DHS General Administration appropriation to the Juvenile Detention Home Fund.

DETAIL: This Section takes effect on enactment.

83 22 NEW SUBSECTION . 5. Notwithstanding section 8.33, up to
 83 23 \$110,000 of the moneys appropriated in this section that
 83 24 remain unencumbered or unobligated at the close of the fiscal
 83 25 year shall not revert but shall remain available for
 83 26 expenditure for the purposes designated until the close of the
 83 27 succeeding fiscal year.

CODE: Permits carryforward of up to \$110,000 from the DHS FY 2008 General Administration appropriation to FY 2009 for General Administration.

DETAIL: This Section takes effect on enactment.

83 28 ADJUSTMENT OF PHARMACY DISPENSING FEE

83 29 Sec. 72. 2007 Iowa Acts, chapter 218, section 31,
 83 30 subsection 1, paragraph b, is amended to read as follows:
 83 31 b. (4) For the fiscal year beginning July 1, 2007, the
 83 32 department shall reimburse pharmacy dispensing fees using a
 83 33 single rate of \$4.52 per prescription, or the pharmacy's usual
 83 34 and customary fee, whichever is lower.
 83 35 (2) Beginning July 1, 2007, the department of human
 84 1 services shall adopt rules, pursuant to chapter 17A, to
 84 2 provide for the adjustment of the pharmacy dispensing fee to
 84 3 compensate for any reduction in the drug product cost
 84 4 reimbursement resulting from implementation of the average
 84 5 manufacturer price reimbursement standards for multisource
 84 6 generic drug products imposed pursuant to the federal Deficit
 84 7 Reduction Act of 2005, Pub. L. No. 109-171. In implementing
 84 8 the reimbursement, the department may adjust the reimbursement
 84 9 amount as necessary to provide reimbursement within the state
 84 10 funding appropriated for the fiscal year beginning July 1,
 84 11 2007, and ending June 30, 2008, for this purpose. The
 84 12 department shall submit a medical assistance state plan
 84 13 amendment to the centers for Medicare and Medicaid services of
 84 14 the United States department of health and human services as
 84 15 necessary to implement this subparagraph (2).

CODE: Eliminates a requirement that the Department of Human Services adjust the pharmacy dispensing fee to compensate for losses resulting from changes to the Average Manufacturer Price directed by the Federal Deficit Reduction Act of 2005.

84 16 TRANSFER OF BRAIN INJURY FUNDING TO MEDICAL ASSISTANCE

84 17 Sec. 73. 2006 Iowa Acts, chapter 1185, section 1,
84 18 subsection 2, as amended by 2007 Iowa Acts, chapter 218,
84 19 section 83, subsection 2, paragraph c, is amended by adding
84 20 the following new unnumbered paragraph:
84 21 NEW UNNUMBERED PARAGRAPH . Notwithstanding any provision of
84 22 law to the contrary, moneys that were transferred to the
84 23 department of public health pursuant to this paragraph "c"
84 24 that remain unencumbered or unobligated at the close of the
84 25 fiscal year shall not revert but shall instead be transferred
84 26 to the department of human services to the appropriation made
84 27 for the medical assistance program in 2007 Iowa Acts, chapter
84 28 218, section 11. Notwithstanding section 8.33, the
84 29 transferred moneys shall not revert at the close of the fiscal
84 30 year but shall instead remain available to be used for the
84 31 purposes of maintaining home and community-based waiver slots
84 32 for persons with brain injury under the medical assistance
84 33 program in the succeeding fiscal year.

CODE: Transfers remaining FY 2008 Brain Injury Program funds from the DPH to the DHS Medical Assistance appropriation for the Home and Community Based Services (HCBS) waiver slots in FY 2009.

DETAIL: An estimated \$2,666,378 is expected to be transferred. This Section takes effect on enactment.

84 34 IOWACARE ADMINISTRATIVE COSTS

84 35 Sec. 74. 2007 Iowa Acts, chapter 218, section 74, is
85 1 amended by adding the following new subsection:
85 2 NEW SUBSECTION . 8. For reimbursable administrative costs
85 3 incurred by the publicly owned acute care teaching hospital
85 4 located in a county with a population of over 350,000 included
85 5 in the expansion population provider network pursuant to
85 6 chapter 249J:
85 7 \$ 230,000
85 8 Disbursements under this subsection shall be made based on
85 9 receipts submitted to the department for reimbursable costs as
85 10 specified in section 249J.23.

CODE: Appropriates up to \$230,000 for administrative costs for the IowaCare Program at Polk County Broadlawns Medical Center.

85 11 HEALTH CARE TRUST FUND

85 12 DEPARTMENT OF PUBLIC HEALTH ADDICTIVE DISORDERS

85 13 Sec. 75. 2007 Iowa Acts, chapter 218, section 97,
85 14 subsection 1, is amended by adding the following new
85 15 paragraph:
85 16 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys
85 17 appropriated and allocated in this subsection that remain
85 18 unencumbered or unobligated at the close of the fiscal year
85 19 shall not revert but shall remain available for expenditure
85 20 for the purposes designated until the close of the succeeding
85 21 fiscal year.

CODE: Permits FY 2008 Health Care Trust Fund Addictive Disorder funds to carry over to FY 2009.

DETAIL: It is estimated that \$34,000 from the Cultural Competency Substance Abuse Treatment funds will carry forward to FY 2009. This Section takes effect on enactment.

85 22 HEALTH CARE TRUST FUND == DEPARTMENT OF
85 23 PUBLIC HEALTH HEALTHY CHILDREN AND FAMILIES

85 24 Sec. 76. 2007 Iowa Acts, chapter 218, section 97,
85 25 subsection 2, is amended by adding the following new
85 26 paragraph:
85 27 NEW PARAGRAPH . g. Notwithstanding section 8.33, moneys
85 28 appropriated and allocated in this subsection that remain
85 29 unencumbered or unobligated at the close of the fiscal year
85 30 shall not revert but shall remain available for expenditure
85 31 for the purposes designated until the close of the succeeding
85 32 fiscal year.

CODE: Permits Health Care Trust Funds for the DPH Healthy Children and Families budget to carry forward to FY 2009.

DETAIL: This is estimated to be \$19,800 from the FY 2008 Tissue Bank allocation. This Section takes effect on enactment.

85 33 HEALTH CARE TRUST FUND == DEPARTMENT OF
85 34 PUBLIC HEALTH == CHRONIC CONDITIONS

85 35 Sec. 77. 2007 Iowa Acts, chapter 218, section 97,
86 1 subsection 3, is amended by adding the following new
86 2 paragraph:
86 3 NEW PARAGRAPH . dd. Notwithstanding section 8.33, moneys
86 4 appropriated and allocated in this subsection that remain
86 5 unencumbered or unobligated at the close of the fiscal year

CODE: Permits the FY 2008 DPH Health Care Trust Fund Chronic Conditions appropriation to carry forward to FY 2009.

DETAIL: It is estimated that \$10,000 from the Iowa Consortium for Comprehensive Cancer Control will carry forward to FY 2009.

86 6 shall not revert but shall remain available for expenditure
 86 7 for the purposes designated until the close of the succeeding
 86 8 fiscal year.

86 9 HEALTH CARE TRUST FUND == DEPARTMENT OF
 86 10 HUMAN SERVICES == STATE CHILDREN'S
 86 11 HEALTH INSURANCE PROGRAM

86 12 Sec. 78. 2007 Iowa Acts, chapter 218, section 98,
 86 13 subsection 2, is amended by adding the following new
 86 14 paragraph:
 86 15 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys
 86 16 appropriated in this subsection that are allocated for
 86 17 outreach and remain unencumbered or unobligated at the close
 86 18 of the fiscal year, shall not revert but shall remain
 86 19 available for expenditure for the purposes designated until
 86 20 the close of the succeeding fiscal year.

CODE: Permits the carryforward of any FY 2008 outreach dollars appropriated to the Medicaid Program to FY 2009.

DETAIL: Because the media campaign did not begin until January 2008, it is estimated that there will be up to \$300,000 to carry forward.

86 21 Sec. 79. EFFECTIVE DATE. This division of this Act, being
 86 22 deemed of immediate importance, takes effect upon enactment.

Specifies that this Division for FY 2008 carryforwards takes effect on enactment.

86 23 DIVISION VI
 86 24 PRIOR YEAR APPROPRIATION CHANGES WITH
 86 25 CONTINGENT APPLICABILITY DATE

86 26 Sec. 80. 2007 Iowa Acts, chapter 214, section 9,
 86 27 subsection 2, paragraph b, is amended to read as follows:
 86 28 b. Psychiatric hospital
 86 29 For salaries, support, maintenance, equipment,
 86 30 miscellaneous purposes, for the care, treatment, and
 86 31 maintenance of committed and voluntary public patients, and
 86 32 for not more than the following full-time equivalent
 86 33 positions:
 86 34 \$ 7,043,056

CODE: Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa.

DETAIL: The funding will be replaced with an allocation from the Medicaid appropriation.

86 35 0

87 1 FTEs 269.65

87 2 Sec. 81. 2007 Iowa Acts, chapter 215, section 15,
 87 3 unnumbered paragraph 1, is amended to read as follows:
 87 4 There is appropriated from the general fund of the state to
 87 5 the salary adjustment fund for distribution by the department
 87 6 of management to the various state departments, boards,
 87 7 commissions, councils, and agencies, including the state board
 87 8 of regents except as otherwise provided, and the judicial
 87 9 branch, for the fiscal year beginning July 1, 2007, and ending
 87 10 June 30, 2008, the amount of ~~\$106,848,094~~ \$106,569,196, or so
 87 11 much thereof as may be necessary, to fully fund annual pay
 87 12 adjustments, expense reimbursements, and related benefits
 87 13 implemented pursuant to the following:

CODE: Adjusts the FY 2008 salary allocation language to eliminate funding for the Psychiatric Hospital at the University of Iowa. The salary funding for the Hospital will be allocated from the FY 2008 Medicaid appropriation.

87 14 Sec. 82. 2007 Iowa Acts, chapter 215, section 15, is
 87 15 amended by adding the following new subsection:
 87 16 NEW SUBSECTION . 16. The amount distributed to the state
 87 17 psychiatric hospital administered by the state board of
 87 18 regents from the appropriation in this section shall be
 87 19 reduced to zero.

CODE: Specifies the FY 2008 salary funding for the Psychiatric Hospital at the University of Iowa is eliminated.

87 20 Sec. 83. 2007 Iowa Acts, chapter 218, section 11,
 87 21 unnumbered paragraph 2, is amended to read as follows:
 87 22 For medical assistance reimbursement and associated costs
 87 23 as specifically provided in the reimbursement methodologies in
 87 24 effect on June 30, 2007, except as otherwise expressly
 87 25 authorized by law, including reimbursement for abortion
 87 26 services, which shall be available under the medical
 87 27 assistance program only for those abortions which are
 87 28 medically necessary:
 87 29 \$ ~~616,771,820~~
 87 30 624,093,774

CODE: General Fund supplemental appropriation for FY 2008 of \$7,321,954 to the DHS to be used for the State share of the Disproportionate Share payment and the IowaCare Account. The funds are available as a result of the reduction of the FY 2008 University of Iowa Psychiatric Hospital appropriation in this Bill.

87 31 Sec. 84. 2007 Iowa Acts, chapter 218, section 11, is
87 32 amended by adding the following new subsections:
87 33 NEW SUBSECTION . 17. a. Of the funds appropriated in this
87 34 section, \$2,797,719 is allocated for state match for
87 35 disproportionate share hospital payment of \$7,321,954 to
88 1 hospitals that meet both of the following conditions:
88 2 (1) The hospital qualifies for disproportionate share and
88 3 graduate medical education payments.
88 4 (2) The hospital is an Iowa state-owned hospital with more
88 5 than 500 beds and eight or more distinct residency specialty
88 6 or subspecialty programs recognized by the American college of
88 7 graduate medical education.
88 8 b. Distribution of the disproportionate share payment
88 9 shall be made on a monthly basis. The total amount of
88 10 disproportionate share payments including graduate medical
88 11 education, enhanced disproportionate share, and Iowa
88 12 state-owned teaching hospital payments shall not exceed the
88 13 amount of the state's allotment under Pub. L. No. 102=234. In
88 14 addition, the total amount of all disproportionate share
88 15 payments shall not exceed the hospital-specific
88 16 disproportionate share limits under Pub. L. No. 103=66.
88 17 NEW SUBSECTION . 18. Of the funds appropriated in this
88 18 section, \$4,524,235 is transferred to the IowaCare account
88 19 created in section 249J.24 for the fiscal year beginning July
88 20 1, 2007, and ending June 30, 2008.
88 21 NEW SUBSECTION . 19. The department shall immediately
88 22 notify the governor and the general assembly of any changes in
88 23 federal policies or application of policies that impact the
88 24 distribution of hospital disproportionate share payments.

CODE: Requires \$2,797,719 of the funds appropriated for the FY 2008 Medicaid appropriation to be allocated for the State match for Disproportionate Share Payments and \$4,524,235 is to be transferred to the IowaCare Account.

88 25 Sec. 85. 2007 Iowa Acts, chapter 218, section 73,
88 26 subsection 2, is amended to read as follows:
88 27 2. There is appropriated from the IowaCare account created
88 28 in section 249J.24 to the state board of regents for
88 29 distribution to the university of Iowa hospitals and clinics
88 30 for the fiscal year beginning July 1, 2007, and ending June
88 31 30, 2008, the following amount, or so much thereof as is

CODE: IowaCare Account supplemental appropriation of \$15,684,211 for FY 2008 to the Board of Regents for the IowaCare Program.

88 32 necessary, to be used for the purposes designated:
 88 33 For salaries, support, maintenance, equipment, and
 88 34 miscellaneous purposes, for the provision of medical and
 88 35 surgical treatment of indigent patients, for provision of
 89 1 services to members of the expansion population pursuant to
 89 2 chapter 249J, and for medical education:
 89 3 \$ 10,000,000
 89 4 25,684,211
 89 5 The amount appropriated in this subsection shall be
 89 6 distributed only if expansion population claims adjudicated
 89 7 and paid by the Iowa Medicaid enterprise exceed the
 89 8 appropriation to the state board of regents for distribution
 89 9 to the university of Iowa hospitals and clinics provided in
 89 10 subsection 1. The amount appropriated in this subsection
 89 11 shall be distributed monthly for expansion population claims
 89 12 adjudicated and approved for payment by the Iowa Medicaid
 89 13 enterprise using medical assistance program reimbursement
 89 14 rates.
 89 15 Notwithstanding section 8.33, moneys appropriated in this
 89 16 subsection that remain unencumbered or unobligated at the
 89 17 close of the fiscal year shall not revert but shall remain
 89 18 available for expenditure for the purposes designated until
 89 19 the close of the succeeding fiscal year.

89 20 Sec. 86. EFFECTIVE DATE == CONTINGENT EFFECTIVE DATE ==
 89 21 RETROACTIVE APPLICABILITY. This division of this Act, being
 89 22 deemed of immediate importance, takes effect upon enactment
 89 23 and is retroactively applicable to December 21, 2007.
 89 24 However, the division is applicable only if the department of
 89 25 human services receives approval of a medical assistance state
 89 26 plan amendment from the centers for Medicare and Medicaid
 89 27 services of the United States department of health and human
 89 28 services to utilize the disproportionate share hospital
 89 29 payments as specified in this division. The department shall
 89 30 notify the governor, the persons designated by this Act to
 89 31 receive reports, and the Code editor concerning the center's
 89 32 approval or denial of the state plan amendment.

Requires that the Sections relating to the FY 2008 changes to the
 University of Iowa's Psychiatric Hospital appropriations and IowaCare
 Program appropriation take effect on enactment and are retroactive to
 December 21, 2007. Makes the changes conditional on federal
 Centers for Medicare and Medicaid (CMS) approval.

89 33 DIVISION VII
89 34 CODE CHANGES

89 35 Sec. 87. Section 28.9, subsection 5, Code 2007, is amended
90 1 to read as follows:
90 2 5. A ~~community empowerment gifts and grants~~ first years
90 3 first account is created in the Iowa empowerment fund under
90 4 the authority of the department of management. The account
90 5 shall consist of gift or grant moneys obtained from any
90 6 source, including but not limited to the federal government.
90 7 Moneys credited to the account are appropriated to the
90 8 department of management to be used for the community
90 9 empowerment-related purposes for which the moneys were
90 10 received.

CODE: Changes the name of the Community Empowerment Gifts and Grants Account to the First Years First Account.

90 11 Sec. 88. Section 135.22B, subsections 3 and 4, Code
90 12 Supplement 2007, are amended to read as follows:
90 13 3. PURPOSE. The purpose of the brain injury services
90 14 program is to provide services, service funding, or other
90 15 support for persons with a brain injury under ~~one of the~~
90 16 cost=share program component or other components established
90 17 pursuant to this section. Implementation of the cost=share
90 18 component or any other component of the program is subject to
90 19 the funding made available for the program.
90 20 ~~4. GENERAL REQUIREMENTS == WAIVER-ELIGIBLE COMPONENT.~~
90 21 ~~a. The component of the brain injury services program for~~
90 22 ~~persons eligible for the brain injury services waiver is~~
90 23 ~~subject to the requirements provided in this subsection.~~
90 24 ~~b. If a person is eligible for the brain injury services~~
90 25 ~~waiver and is on the waiting list for the waiver but the~~
90 26 ~~appropriation for the medical assistance program does not have~~
90 27 ~~sufficient funding designated to pay the nonfederal share of~~
90 28 ~~the costs to remove the person from the waiting list, the~~
90 29 ~~brain injury services program may provide the funding for the~~
90 30 ~~nonfederal share of the costs in order for the person to be~~
90 31 ~~removed from the waiting list and receive services under the~~

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Limits the implementation of the Cost Share Program to available funding. Funding for the Cost Share Program is not provided for FY 2009. Funding for the Brain Injury Waivers in the Brain Injury Services Program of the Department of Public Health has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services for FY 2009 for continued funding of the Brain Injury Waiver.

90 32 ~~waiver.~~
 90 33 ~~e. A person who receives support under the waiver=eligible~~
 90 34 ~~component is not eligible to receive support under the~~
 90 35 ~~cost=share component of the program.~~
 91 1 ~~d. Provision of funding under the waiver=eligible~~
 91 2 ~~component is not an entitlement. Subject to the department of~~
 91 3 ~~human services requirements for the brain injury services~~
 91 4 ~~waiver waiting list, the program administrator shall make the~~
 91 5 ~~final determination whether funding will be authorized under~~
 91 6 ~~this component.~~

91 7 Sec. 89. Section 135.22B, subsection 5, unnumbered
 91 8 paragraph 1, Code Supplement 2007, is amended to read as
 91 9 follows:
 91 10 The cost=share component of the brain injury services
 91 11 program shall be directed to persons who have been determined
 91 12 to be ineligible for the brain injury services waiver or
 91 13 persons who are eligible for the waiver but funding was not
 91 14 authorized or available to provide waiver eligibility for the
 91 15 ~~persons under the waiver=eligible component~~ . The cost=share
 91 16 component is subject to general requirements which shall
 91 17 include but are not limited to all of the following:

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

91 18 Sec. 90. Section 135.22B, subsection 8, paragraph a, Code
 91 19 Supplement 2007, is amended to read as follows:
 91 20 a. The application materials for services under ~~both the~~
 91 21 ~~waiver=eligible and cost=share components~~ component of the
 91 22 brain injury services program shall use the application form
 91 23 and other materials of the brain injury services waiver. In
 91 24 order to apply for the brain injury services program, the
 91 25 applicant must authorize the department of human services to
 91 26 provide the applicant's waiver application materials to the
 91 27 brain injury services program. The application materials
 91 28 provided shall include but are not limited to the waiver
 91 29 application and any denial letter, financial assessment, and
 91 30 functional assessment regarding the person.

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

91 31 Sec. 91. NEW SECTION . 135.155 EARLY CHILDHOOD IOWA
91 32 COUNCIL.

CODE: Establishes an Early Childhood Iowa Advisory Council in the Department of Public Health.

91 33 1. COUNCIL CREATED. An early childhood Iowa council is
91 34 created as an alliance of stakeholders in early care, health,
91 35 and education systems that affect children ages zero through
92 1 five in Iowa.

92 2 2. PURPOSE. The purpose of the early childhood Iowa
92 3 council is to oversee the development of an Iowa early
92 4 childhood system by integrating the early care, health, and
92 5 education systems addressing the needs of children ages zero
92 6 through five and their families. The council shall advise the
92 7 governor, general assembly, and public and private policy
92 8 bodies and service providers in addressing its purpose.

92 9 3. VISION STATEMENT. All system development activities
92 10 addressed by the early childhood Iowa council shall be aligned
92 11 around the following vision statement for the children of
92 12 Iowa: "Every child, beginning at birth, will be healthy and
92 13 successful."

92 14 4. MEMBERSHIP. The early childhood Iowa council
92 15 membership shall include a representative of any organization
92 16 that touches the lives of young children in the state ages
92 17 zero through five, has endorsed the purpose and vision
92 18 statement for the council, has endorsed the guiding principles
92 19 adopted by the council for the early childhood system, and has
92 20 formally asked to be a member and remains actively engaged in
92 21 council activities. The council shall designate additional
92 22 members to ensure there is geographic, cultural, and ethnic
92 23 diversity among the membership.

92 24 5. PROCEDURE. Except as otherwise provided by law, the
92 25 early childhood Iowa council shall determine its own rules of
92 26 procedure and operating provisions.

92 27 6. STEERING COMMITTEE. The early childhood Iowa council
92 28 shall operate with a steering committee to organize, manage,
92 29 and coordinate the activities of the council and its component
92 30 groups. The steering committee may act on behalf of the
92 31 council as necessary. The steering committee membership shall
92 32 consist of the co=chairpersons of the council's component

92 33 groups, the chairperson of the state agency liaison team, the
92 34 community empowerment facilitator or the facilitator's
92 35 designee, and other leaders designated by the council.
93 1 7. COMPONENT GROUPS. The early childhood Iowa council
93 2 shall establish component groups to address the key components
93 3 of the Iowa early childhood system. Each component group
93 4 shall have one private and one public agency co-chairperson.
93 5 The council may change the component groups as deemed
93 6 necessary by the advisory council. Initially, there shall be
93 7 a component group for each of the following:
93 8 a. Governance planning and administration.
93 9 b. Professional development.
93 10 c. Public engagement.
93 11 d. Quality services and programs.
93 12 e. Resources and funding.
93 13 f. Results accountability.
93 14 8. STATE AGENCY LIAISON TEAM. A state agency liaison team
93 15 shall support the efforts of the early childhood Iowa council.
93 16 In addition to designees of the governor, the team shall
93 17 consist of the directors or chief administrators, or their
93 18 designees, from the following state agencies and programs:
93 19 a. Child health specialty clinics.
93 20 b. Office of community empowerment in the department of
93 21 management.
93 22 c. Department of education.
93 23 d. Office of the governor.
93 24 e. Department of human rights.
93 25 f. Department of human services.
93 26 g. Iowa state university extension service.
93 27 h. Department of public health.
93 28 9. DUTIES. In addition to the advisory function specified
93 29 in subsection 2, the early childhood Iowa council's duties
93 30 shall include but are not limited to all of the following
93 31 regarding the Iowa early childhood system:
93 32 a. Adopt and update a strategic plan for developing the
93 33 system.
93 34 b. Regularly assess progress in implementing the strategic
93 35 plan.

94 1 c. Review, design, and participate in cross-functional
94 2 proposals.
94 3 d. Develop a common understanding of all parts of the
94 4 system.
94 5 e. Assess, understand, and respond to internal and
94 6 external threats to the system.
94 7 f. Serve as a liaison to constituency groups.
94 8 g. Move the system toward seamless services to children
94 9 and families through braided funding streams.
94 10 h. Maximize resources and expertise across the system.
94 11 i. Agree on common language and terminology for the
94 12 system.
94 13 j. Develop a menu of best practices and rationales for
94 14 quality services.
94 15 k. Encourage personal relationships across disciplines.
94 16 l. Serve as an advocate for the system.
94 17 m. Identify guiding principles for the early childhood
94 18 system and the agencies providing services in the system.
94 19 n. Work with the Iowa empowerment board in developing
94 20 public-private partnerships to support the early childhood
94 21 system through the first years first account in the Iowa
94 22 empowerment fund and other efforts for expanding investment of
94 23 private funding in the early childhood system. As this and
94 24 similar efforts to expand and coordinate investments from all
94 25 public and private sources evolve and mature, make
94 26 recommendations for designation of or contracting with a
94 27 private nonprofit organization to serve as a fiscal agent for
94 28 the early childhood system or another approach for increasing
94 29 public and private investment in the system.
94 30 o. Report annually by December 31 to the governor and
94 31 general assembly. The report content shall include but is not
94 32 limited to all of the following:
94 33 (1) The status and results of the council's efforts to
94 34 engage the public regarding the early care, health, and
94 35 education needs of children ages zero through five and the
95 1 efforts to develop and promote private sector involvement with
95 2 the early childhood system.
95 3 (2) The status of the efforts to improve the key

95 4 components of the early childhood system and the progress in
95 5 achieving the results identified for the key components.
95 6 (3) The status of the community empowerment initiative and
95 7 the overall early childhood system in achieving the following
95 8 initial set of desired results identified in section 28.2:
95 9 (a) Healthy children.
95 10 (b) Children ready to succeed in school.
95 11 (c) Safe and supportive communities.
95 12 (d) Secure and nurturing families.
95 13 (e) Secure and nurturing early care and education
95 14 environments.

95 15 Sec. 92. NEW SECTION . 135.156 LEAD AGENCY AND OTHER
95 16 STATE AGENCIES.

95 17 1. The lead agency for support of the early childhood Iowa
95 18 council for state agency efforts to develop an early childhood
95 19 system for Iowa shall be the department of public health.

95 20 2. The department shall work with the early childhood Iowa
95 21 council in integrating early care, health, and education
95 22 systems to develop an early childhood system for Iowa. The
95 23 department shall do all of the following in developing the
95 24 system:

95 25 a. Work with state agencies to enter into memorandums of
95 26 understanding outlining the agencies' responsibilities in the
95 27 system.

95 28 b. Work with private businesses, foundations, and
95 29 nonprofit organizations in implementing a public-private
95 30 partnership to develop and provide funding for the system.

95 31 c. Maintain an internet site for distributing the
95 32 information provided through the council and its component
95 33 groups.

CODE: Requires the Department of Public Health to be the State agency responsible for the Early Childhood Iowa Council.

95 34 Sec. 93. Section 135H.3, Code 2007, is amended to read as
95 35 follows:

96 1 135H.3 NATURE OF CARE.

96 2 1. A psychiatric medical institution for children shall

CODE: Requires certain third party health coverage providers to pay for certain biologically-based mental health services at psychiatric medical institutions for children (PMICs).

96 3 utilize a team of professionals to direct an organized program
96 4 of diagnostic services, psychiatric services, nursing care,
96 5 and rehabilitative services to meet the needs of residents in
96 6 accordance with a medical care plan developed for each
96 7 resident. Social and rehabilitative services shall be
96 8 provided under the direction of a qualified mental health
96 9 professional.

96 10 2. A child who requires treatment for a biologically based
96 11 mental illness as defined in section 514C.22, and meets the
96 12 medical assistance program criteria for admission to a
96 13 psychiatric medical institution for children shall be deemed
96 14 to meet the acuity criteria for inpatient benefits under a
96 15 group policy, contract, or plan providing for third-party
96 16 payment or prepayment of health, medical, and surgical
96 17 coverage benefits issued by a carrier, as defined in section
96 18 513B.2, or by an organized delivery system authorized under
96 19 1993 Iowa Acts, chapter 158, that is subject to section
96 20 514C.22.

96 21 Sec. 94. Section 217.19, Code 2007, is amended by adding
96 22 the following new unnumbered paragraph:
96 23 NEW UNNUMBERED PARAGRAPH . The department of administrative
96 24 services shall work with the department of human services to
96 25 develop and implement an expense policy applicable to the
96 26 members of a board, commission, committee, or other body under
96 27 the auspices of the department of human services who meet the
96 28 income requirements for payment of per diem in accordance with
96 29 section 7E.6, subsection 2. The policy shall allow for the
96 30 payment of the member's expenses to be addressed through use
96 31 of direct billings, travel purchase card, prepaid expenses, or
96 32 other alternative means of addressing the expenses in lieu of
96 33 reimbursement of the member.

CODE: Requires the Department of Administrative Services and the
DHS to develop a policy to provide certain members of boards and
commissions with prepayment of certain planned expenditures.

96 34 Sec. 95. Section 237A.13, Code Supplement 2007, is amended
96 35 by adding the following new subsection:
97 1 NEW SUBSECTION . 8A. The department of human services, the

CODE: Requires the DHS, the Department of Management, and the
Legislative Services Agency to develop quarterly projections for Child
Care Subsidy Program expenditures.

97 2 department of management, and the legislative services agency
97 3 shall utilize a joint process to arrive at a consensus
97 4 projection for state child care assistance program
97 5 expenditures. The projection shall be issued at least
97 6 quarterly.

97 7 Sec. 96. NEW SECTION . 249A.36 BEHAVIORAL HEALTH SERVICES
97 8 == CONTRACTING REQUIREMENTS == APPEALS OF CLAIMS DENIED ==
97 9 FUNDING == SEPARATE ACCOUNT.

CODE: Adds requirements to the contract for the Medicaid behavioral health services. The contract is currently with Magellan Behavioral Health.

97 10 1. Beginning May 1, 2008, and thereafter, any contract
97 11 between the department and a third=party administrator to
97 12 administer behavioral health services under the medical
97 13 assistance program shall meet all of the following
97 14 requirements:
97 15 a. The administrative fee negotiated between the
97 16 third=party administrator and the department for the services
97 17 provided by the third=party administrator shall be the entire
97 18 consideration for all services provided by the third=party
97 19 administrator.
97 20 b. Any contract entered into between the department and a
97 21 third=party administrator shall prohibit retention by the
97 22 third=party administrator of interest generated on payments
97 23 made by the department to the third=party administrator.
97 24 c. Funds that are not used to pay for behavioral health
97 25 services and held in escrow by the third=party administrator
97 26 and any interest earned on such funds shall be remitted to the
97 27 department within thirty days of the receipt or generation of
97 28 such funds.
97 29 d. A claim submitted for behavioral health services
97 30 provided to a recipient of medical assistance that meets all
97 31 of the following conditions is prima facie evidence that the
97 32 claim is eligible for reimbursement for the purpose of an
97 33 appeal:
97 34 (1) A mental health professional provides an in=person
97 35 consultation to a recipient of medical assistance.
98 1 (2) The mental health professional delivers or directs
98 2 behavioral health services to be delivered to the recipient of

98 3 medical assistance, and the behavioral health service
98 4 delivered is a qualified service under the medical assistance
98 5 program.

98 6 (3) The mental health professional certifies that in the
98 7 professional judgment of the mental health professional the
98 8 service is necessary for the safety of the recipient of
98 9 medical assistance.

98 10 2. a. The department shall establish a behavioral health
98 11 care provider appeals panel.

98 12 b. The panel shall consist of all of the following
98 13 members:

98 14 (1) Three mental health professionals who are not employed
98 15 by either the department or the third=party administrator,
98 16 appointed by the three largest providers of behavioral health
98 17 services in the state.

98 18 (2) A designee of the department.

98 19 (3) A designee of the association of behavioral health
98 20 services.

98 21 c. The provider appeals panel shall hear appeals on denial
98 22 of claims for behavioral health services under the medical
98 23 assistance program. The department shall adopt an appeals
98 24 process by rule.

98 25 d. A provider or a third=party administrator may appeal
98 26 the decision of the provider appeals panel to the director of
98 27 the department, whose written decision shall be a final agency
98 28 action and may be appealed pursuant to section 17A.19.

98 29 3. a. The department shall maintain a separate account
98 30 for all funds appropriated, allocated, or otherwise available
98 31 for payment of behavioral health services provided under the
98 32 medical assistance program, to be administered by the
98 33 department. The account shall include all of the following:

98 34 (1) The total state appropriation for payment of
98 35 behavioral health services under the medical assistance
99 1 program.

99 2 (2) Any interest generated from the funds in the account.

99 3 (3) Unutilized funds and interest on the funds remitted to
99 4 the department by a third=party administrator.

99 5 b. Notwithstanding section 8.33, funds remaining in the

99 6 account that remain unencumbered or unobligated at the end of
99 7 any fiscal year shall not revert but shall remain available in
99 8 succeeding fiscal years for any of the following purposes:
99 9 (1) Funding for additional mental health professional
99 10 residency programs in this state.
99 11 (2) Investment in acute or nonacute mental health centers
99 12 for adults and children.
99 13 (3) Reimbursement of providers of behavioral health
99 14 services.
99 15 4. The department shall adopt rules and amend the medical
99 16 assistance state plan, as necessary, to administer this
99 17 section.
99 18 5. For the purposes of this section, "behavioral health
99 19 services" means services provided for the treatment of mental
99 20 disorders, emotional disorders, and chemical dependency
99 21 disorders as specified by rule of the department, and "mental
99 22 health professional" means mental health professional as
99 23 defined in section 228.1.

99 24 Sec. 97. Section 249J.23, subsection 3, Code 2007, is
99 25 amended to read as follows:
99 26 3. a. Moneys deposited in the account for health care
99 27 transformation shall be used only as provided in
99 28 appropriations from the account for the costs associated with
99 29 certain services provided to the expansion population pursuant
99 30 to section 249J.6, certain initiatives to be designed pursuant
99 31 to section 249J.8, the case=mix adjusted reimbursement system
99 32 for persons with mental retardation or developmental
99 33 disabilities pursuant to section 249J.12, certain health
99 34 promotion partnership activities pursuant to section 249J.14,
99 35 the cost and quality performance evaluation pursuant to
100 1 section 249J.16, auditing requirements pursuant to section
100 2 249J.22, the provision of additional indigent patient care and
100 3 treatment, and administrative costs associated with this
100 4 chapter including administrative costs as specified in
100 5 paragraph "b" .
100 6 b. Notwithstanding any provision of this chapter to the

CODE: Provides a payment of administrative costs to Polk County
Broadlawns Medical Center for the IowaCare Program.

100 7 contrary, the department shall reimburse the publicly owned
 100 8 acute care teaching hospital located in a county with a
 100 9 population over three hundred fifty thousand that is a
 100 10 participating provider in the expansion population provider
 100 11 network, for the hospital's administrative costs associated
 100 12 with participation in the IowaCare program. Reimbursable
 100 13 costs shall include the hospital's costs for claims data
 100 14 submission and the costs of salaries and benefits for the
 100 15 additional hospital employees necessary to perform program
 100 16 preauthorizations, verifications, and claims processing.
 100 17 Reimbursement shall be made on a monthly basis. Such
 100 18 reimbursement shall be in addition to funds received through
 100 19 the annual appropriation to the hospital from the IowaCare
 100 20 account for medical and surgical care and treatment of
 100 21 indigent patients and for medical education pursuant to
 100 22 section 249J.24.

100 23 Sec. 98. NEW SECTION . 256.35A IOWA AUTISM COUNCIL.
 100 24 1. An Iowa autism council is created to act in an advisory
 100 25 capacity to the state in developing and implementing a
 100 26 comprehensive, coordinated system to provide appropriate
 100 27 diagnostic, intervention, and support services for children
 100 28 with autism and to meet the unique needs of adults with
 100 29 autism.
 100 30 2. a. The council shall consist of thirteen voting
 100 31 members appointed by the governor and confirmed by the senate.
 100 32 The majority of the voting members shall be individuals with
 100 33 autism or members of their families. Additionally, each of
 100 34 the following shall be represented among the voting members:
 100 35 (1) Autism diagnostic and research specialists.
 101 1 (2) Individuals with recognized expertise in utilizing
 101 2 best practices for diagnosis, intervention, education, and
 101 3 support services for individuals with autism.
 101 4 (3) Individuals providing residential services for
 101 5 individuals with autism.
 101 6 (4) Medical professionals with background or expertise in
 101 7 a pertinent medical field such as psychiatry or behavioral

CODE: Establishes an Iowa Autism Council in the Department of Education.

101 8 science.
101 9 (5) Private insurers.
101 10 (6) Teachers and representatives of area education
101 11 agencies.
101 12 b. In addition, representatives of the department of
101 13 education, the division of vocational rehabilitation of the
101 14 department of education, the department of public health, the
101 15 department of human services, the governor's developmental
101 16 disabilities council, the division of insurance of the
101 17 department of commerce, and the state board of regents shall
101 18 serve as ex officio members of the advisory council. Ex
101 19 officio members shall work together in a collaborative manner
101 20 to serve as a resource to the advisory council. The council
101 21 may also form workgroups as necessary to address specific
101 22 issues within the technical purview of individual members.
101 23 c. Voting members shall serve three-year terms beginning
101 24 and ending as provided in section 69.19, and appointments
101 25 shall comply with sections 69.16 and 69.16A. Vacancies on the
101 26 council shall be filled in the same manner as the original
101 27 appointment. A person appointed to fill a vacancy shall serve
101 28 only for the unexpired portion of the term. Public members
101 29 shall receive reimbursement for actual expenses incurred while
101 30 serving in their official capacity and may also be eligible to
101 31 receive compensation as provided in section 7E.6.
101 32 d. The council shall elect a chairperson from its voting
101 33 members annually. A majority of the voting members of the
101 34 council shall constitute a quorum.
101 35 e. The department shall convene and provide administrative
102 1 support to the council.
102 2 3. The council shall focus its efforts on addressing the
102 3 unmet needs of individuals with autism at various levels of
102 4 severity and their families. The council shall address all of
102 5 the following:
102 6 a. Early identification by medical professionals of
102 7 autism, including education and training of health care and
102 8 mental health care professionals and the use of best practice
102 9 guidelines.
102 10 b. Appropriate early and intensive early intervention

102 11 services with access to models of training.
 102 12 c. Integration and coordination of the medical community,
 102 13 community educators, childhood educators, health care
 102 14 providers, and community-based services into a seamless
 102 15 support system for individuals and their families.
 102 16 d. General and special education support services.
 102 17 e. In-home support services for families requiring
 102 18 behavioral and other supports.
 102 19 f. Training for educators, parents, siblings, and other
 102 20 family members.
 102 21 g. Enhancing of community agency responsiveness to the
 102 22 living, learning, and employment needs of adults with autism
 102 23 and provision of services including but not limited to respite
 102 24 services, crisis intervention, employment assistance, case
 102 25 management, and long-term care options.
 102 26 h. Financing options including but not limited to medical
 102 27 assistance waivers and private health insurance coverage.
 102 28 i. Data collection.
 102 29 4. The council shall meet quarterly. The council shall
 102 30 submit a report to the governor and the general assembly,
 102 31 annually by December 15, identifying the needs and making
 102 32 recommendations for improving and enhancing the lives of
 102 33 individuals with autism and their families.
 102 34 5. For the purposes of this section, "autism" means a
 102 35 spectrum disorder that includes at various levels of severity,
 103 1 autism, Asperger's disorder, pervasive developmental disorder,
 103 2 Rett's syndrome, and childhood disintegrative disorder.

103 3 Sec. 99. Section 514I.6, Code 2007, is amended by adding
 103 4 the following new subsection:
 103 5 NEW SUBSECTION . 7. Provide qualified child health plans
 103 6 to eligible children. A participating insurer shall not
 103 7 require participation by a provider in other health insurance
 103 8 products of the participating insurer as a condition of
 103 9 participation in the qualified child health plan.

CODE: Requires participating insurers in the hawk-i Program to provide qualified health plans to eligible children.

103 10 Sec. 100. EFFECTIVE DATES AND RETROACTIVE APPLICABILITY.

Requires the changes with the Magellan Behavioral Health contract to

103 11 1. The section of this division of this Act enacting
 103 12 section 249A.36, being deemed of immediate importance, takes
 103 13 effect upon enactment and is retroactively applicable to May
 103 14 1, 2008.
 103 15 2. The section of this division of this Act amending
 103 16 section 249J.23, being deemed of immediate importance, takes
 103 17 effect upon enactment and is retroactively applicable to July
 103 18 1, 2005.

take effect on May 1, 2008, and be effective on enactment.

Requires the IowaCare administrative payments to Polk County Broadlawns Medical Center to take effect on enactment and be retroactive to FY 2006.

103 19 DIVISION VIII
 103 20 INDIVIDUAL DEVELOPMENT ACCOUNTS

103 21 Sec. 101. Section 422.7, subsection 28, paragraph b, Code
 103 22 Supplement 2007, is amended to read as follows:
 103 23 b. The amount of any savings refund or state match
 103 24 payments authorized under section 541A.3, subsection 1.

CODE: Exempts State match payments for Individual Development Accounts from Iowa income tax.

103 25 Sec. 102. Section 541A.1, subsection 2, Code 2007, is
 103 26 amended to read as follows:
 103 27 2. "Administrator" means the division of community action
 103 28 agencies of the department of human ~~services~~ rights .

CODE: Changes the reference for the agency responsible for the administration of Individual Development Accounts from the DHS to the Division of Community Action Agencies in the Department of Human Rights.

103 29 Sec. 103. Section 541A.1, Code 2007, is amended by adding
 103 30 the following new subsection:
 103 31 NEW SUBSECTION . 5A. "Household income" means the annual
 103 32 household income of an account holder or prospective account
 103 33 holder, as determined in accordance with rules adopted by the
 103 34 administrator.

CODE: Adds a definition for "Household Income" for Individual Development Accounts.

103 35 Sec. 104. Section 541A.2, subsection 4, paragraph a, Code
 104 1 2007, is amended by adding the following new subparagraphs:
 104 2 NEW SUBPARAGRAPH . (7) A purpose approved in accordance
 104 3 with rule for a refugee individual development account.
 104 4 NEW SUBPARAGRAPH . (8) Purchase of an automobile.

CODE: Adds additional items that can be purchased with funds from an Individual Development Account.

104 5 NEW SUBPARAGRAPH . (9) Purchase of assistive technology,
104 6 home or vehicle modification, or other device or physical
104 7 improvement to assist an account holder or family member with
104 8 a disability.
104 9 NEW SUBPARAGRAPH . (10) Other purpose approved in
104 10 accordance with rule that is intended to move the account
104 11 holder or a family member toward a higher degree of
104 12 self-sufficiency.

104 13 Sec. 105. Section 541A.2, subsection 10, Code 2007, is
104 14 amended to read as follows:
104 15 10. The total amount of sources of principal which may be
104 16 in an individual development account shall be limited to ~~fifty~~
104 17 thirty thousand dollars.

CODE: Reduces the maximum allowed account balance for an Individual Development Account from \$50,000 to \$30,000.

104 18 Sec. 106. Section 541A.3, Code 2007, is amended to read as
104 19 follows:
104 20 541A.3 INDIVIDUAL DEVELOPMENT ACCOUNTS == REFUND STATE
104 21 MATCH AND TAX PROVISIONS.
104 22 All of the following state match and tax provisions shall
104 23 apply to an individual development account:
104 24 1. a. Payment by the state of a state savings ~~refund~~
104 25 match on amounts of up to two thousand dollars ~~per calendar~~
104 26 ~~year~~ that an account holder deposits in the account holder's
104 27 account. To be eligible to receive a state match an account
104 28 holder must have a household income that is equal to or less
104 29 than two hundred percent of the federal poverty level.
104 30 b. Moneys transferred to an individual development account
104 31 from another individual development account and a ~~savings~~
104 32 ~~refund~~ state match received by the account holder in
104 33 accordance with this section shall not be considered an
104 34 account holder deposit for purposes of determining a ~~savings~~
104 35 ~~refund~~ state match .
105 1 c. Payment of a ~~savings refund~~ state match either shall be
105 2 made directly to the account holder or to an operating
105 3 organization's central reserve account for later distribution

CODE: Replaces the savings refund provisions of Individual Development Accounts with a State savings match. Changes other criteria as specified.

105 4 to the account holder in the most appropriate manner as
105 5 determined by the administrator.

105 6 ~~d. The~~ Subject to the limitation in paragraph "a", the
105 7 ~~state savings refund match~~ shall be the indicated percentage
105 8 ~~of equal to one hundred percent of the amount deposited ÷ by~~
105 9 ~~the account holder. However, the administrator may limit,~~
105 10 reduce, delay, or otherwise revise state match payment
105 11 provisions as necessary to restrict the payments to the
105 12 funding available.

105 13 ~~a. For an account holder with a household income, as~~
105 14 ~~defined in section 425.17, subsection 6, which is one hundred~~
105 15 ~~fifty percent or less of the federal poverty level,~~
105 16 ~~twenty-five percent.~~

105 17 ~~b. For an account holder with a household income which is~~
105 18 ~~more than one hundred fifty percent but less than one hundred~~
105 19 ~~seventy-five percent of the federal poverty level, twenty~~
105 20 ~~percent.~~

105 21 ~~c. For an account holder with a household income which is~~
105 22 ~~one hundred seventy-five percent or more but not more than two~~
105 23 ~~hundred percent of the federal poverty level, fifteen percent.~~

105 24 ~~d. For an account holder with a household income which is~~
105 25 ~~more than two hundred percent of the federal poverty level,~~
105 26 ~~zero percent.~~

105 27 2. Income earned by an individual development account is
105 28 not subject to state tax, in accordance with the provisions of
105 29 section 422.7, subsection 28.

105 30 3. Amounts transferred between individual development
105 31 accounts are not subject to state tax.

105 32 ~~4. The administrator shall work with the United States~~
105 33 ~~secretary of the treasury and the state's congressional~~
105 34 ~~delegation as necessary to secure an exemption from federal~~
105 35 ~~taxation for individual development accounts and the earnings~~
106 1 ~~on those accounts. The administrator shall report annually to~~
106 2 ~~the governor and the general assembly concerning the status of~~
106 3 ~~federal approval.~~

106 4 ~~5.~~ 4. The administrator shall coordinate the filing of
106 5 claims for a state savings refunds match authorized under
106 6 subsection 1, between account holders ; and operating

106 7 organizations ~~, and the department of administrative services .~~
106 8 Claims approved by the administrator may be paid by the
106 9 ~~department of administrative services~~ to each account holder,
106 10 for an aggregate amount for distribution to the holders of the
106 11 accounts in a particular financial institution, or to an
106 12 operating organization's central reserve account for later
106 13 distribution to the account holders depending on the
106 14 efficiency for issuing the ~~refunds~~ state match payments .
106 15 Claims shall be initially filed with the administrator on or
106 16 before a date established by the administrator. Claims
106 17 approved by the administrator shall be paid from the ~~general~~
106 18 ~~fund of the state in the manner specified in section 422.74~~
106 19 individual development account state match fund .

106 20 Sec. 107. Section 541A.5, Code 2007, is amended to read as
106 21 follows:

106 22 541A.5 RULES.

106 23 1. The administrator commission on community action
106 24 agencies created in section 216A.92A , in consultation with the
106 25 department of administrative services, shall adopt
106 26 administrative rules to administer this chapter.

106 27 2. a. The rules adopted by the administrator commission
106 28 shall include but are not limited to provision for transfer of
106 29 an individual development account to a different financial
106 30 institution than originally approved by the administrator, if
106 31 the different financial institution has an agreement with the
106 32 account's operating organization.

106 33 b. The rules for determining household income may provide
106 34 categorical eligibility for prospective account holders who
106 35 are enrolled in programs with income eligibility restrictions
107 1 that are equal to or less than the maximum household income
107 2 allowed for payment of a state match under section 541A.3.

107 3 c. Subject to the availability of funding, the commission
107 4 may adopt rules implementing an individual development account
107 5 program for refugees. Rules shall identify purposes approved
107 6 for withdrawals to meet the special needs of refugee families.

107 7 3. The administrator shall utilize a request for proposals

CODE: Adds additional specific criteria relating to eligibility for Individual Development Accounts. Changes references regarding the agency responsible for administration of the Accounts.

107 8 process for selection of operating organizations and approval
107 9 of financial institutions.

107 10 Sec. 108. Section 541A.6, Code 2007, is amended to read as
107 11 follows:
107 12 541A.6 COMPLIANCE WITH FEDERAL REQUIREMENTS.
107 13 The ~~administrator~~ commission on community action agencies
107 14 shall adopt rules for compliance with federal individual
107 15 development account requirements under the federal Personal
107 16 Responsibility and Work Opportunity Reconciliation Act of
107 17 1996, 103, as codified in 42 U.S.C. 604(h), under the
107 18 federal Assets for Independence Act, Pub. L. No. 105=285,
107 19 Title IV, or with any other federal individual development
107 20 account program requirements ~~, as necessary for the state to~~
107 21 ~~qualify to use federal temporary assistance for needy families~~
107 22 ~~block grant funding or other available for drawing federal~~
107 23 ~~funding for allocation to operating organizations~~ . Any rules
107 24 adopted under this section shall not apply the federal
107 25 individual development account program requirements to an
107 26 operating organization which does not utilize federal funding
107 27 for the accounts with which it is connected or to an account
107 28 holder who does not receive temporary assistance for needy
107 29 families block grant or other federal funding.

CODE: Changes the agency reference for administration of Individual Development Accounts from the DHS to the Division of Community Action Agencies in the Department of Human Rights.

107 30 Sec. 109. NEW SECTION . 541A.7 INDIVIDUAL DEVELOPMENT
107 31 ACCOUNT STATE MATCH FUND.

107 32 1. An individual development account state match fund is
107 33 created in the state treasury under the authority of the
107 34 administrator. Notwithstanding section 8.33, moneys
107 35 appropriated to the fund shall not revert to any other fund.
108 1 Notwithstanding section 12C.7, subsection 2, interest or
108 2 earnings on moneys deposited in the fund shall be credited to
108 3 the fund.

108 4 2. Moneys available in the fund for a fiscal year are
108 5 appropriated to the administrator to be used to provide the
108 6 state match for account holder deposits in accordance with

CODE: Creates an Individual Development Account State Match Fund in the State Treasury. Requires nonreversion of funds and permits interest earned to remain in the Fund. A minimum of 85.00% of the moneys in the Fund are to be used to provide the State match for Individual Development Accounts. The remaining 15.00% may be used for administrative costs.

DETAIL: No funds are appropriated to the Fund for FY 2009.

108 7 section 541A.3. At least eighty=five percent of the amount
108 8 appropriated shall be used for state match payments and the
108 9 remainder may be used for administrative costs.

108 10 Sec. 110. INDIVIDUAL DEVELOPMENT ACCOUNT RULES ==
108 11 TRANSITION, EFFECTIVE DATE, AND APPLICABILITY.

108 12 1. The division of community action agencies of the
108 13 department of human rights shall administer individual
108 14 development accounts in accordance with the administrative
108 15 rules pertaining to the accounts in 441 IAC ch. 10, in place
108 16 of the department of human services until replacement
108 17 administrative rules are adopted. The commission on community
108 18 action agencies may adopt emergency rules under section 17A.4,
108 19 subsection 2, and section 17A.5, subsection 2, paragraph "b",
108 20 to implement the provisions of this Act and the rules shall be
108 21 effective immediately upon filing unless a later date is
108 22 specified in the rules. Any rules adopted in accordance with
108 23 this subsection shall also be published as a notice of
108 24 intended action as provided in section 17A.4.

108 25 2. This division of this Act, being deemed of immediate
108 26 importance, takes effect upon enactment.

108 27 3. The change from "savings refund" to "state match" as
108 28 authorized in section 422.7, subsection 28, and section
108 29 541A.3, as amended by this Act, is retroactively applicable to
108 30 January 1, 2008, for the tax year commencing on January 1,
108 31 2008.

Specifies that the Department of Human Rights (DHR) continue under
DHS rules for Individual Development Accounts until DHR rules are
adopted. Tax provisions in this Division are retroactive to January 1,
2008.

108 32 EXPLANATION

108 33 This bill relates to and makes appropriations for health
108 34 and human services for FY 2008=2009 to the department of
108 35 veterans affairs, the Iowa veterans home, the department of
109 1 elder affairs, the department of public health, Iowa finance
109 2 authority, state board of regents, department of inspections
109 3 and appeals, and the department of human services.

109 4 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS. This division
109 5 appropriates funding from the general fund of the state for

109 6 the department of elder affairs, the department of public
109 7 health, and the department of veterans affairs.
109 8 The division appropriates funds from the gambling treatment
109 9 fund in lieu of the standing appropriation in Code section
109 10 135.150 for addictive disorders and provides for use of the
109 11 funds remaining in the fund.
109 12 The division appropriates funding from the general fund of
109 13 the state and the federal temporary assistance for needy
109 14 families block grant to the department of human services. The
109 15 allocation for the family development and self-sufficiency
109 16 grant program is made directly to the department of human
109 17 rights.
109 18 The reimbursement section addresses reimbursement for
109 19 providers reimbursed by the department of human services.
109 20 This division also changes the method under 2001 Iowa Acts,
109 21 chapter 192, by which increased reimbursement to certain
109 22 nursing facilities is provided based upon accountability
109 23 measures.
109 24 SENIOR LIVING TRUST FUND, PHARMACEUTICAL SETTLEMENT
109 25 ACCOUNT, IOWACARE ACCOUNT, HEALTH CARE TRANSFORMATION
ACCOUNT,
109 26 AND PROPERTY TAX RELIEF FUND. This division makes
109 27 appropriations for FY 2008=2009 from the senior living trust
109 28 fund to the department of elder affairs, the department of
109 29 human services, the department of inspections and appeals, and
109 30 the Iowa finance authority.
109 31 The division makes an appropriation from the pharmaceutical
109 32 settlement account to the department of human services to
109 33 supplement the medical contracts appropriation.
109 34 The division makes appropriations from the IowaCare account
109 35 to the state board of regents for distribution to the
110 1 university of Iowa hospitals and clinics, and to the
110 2 department of human services for distribution to a publicly
110 3 owned acute care teaching hospital in a county with a
110 4 population over 350,000, and to the state mental health
110 5 institutes for purposes related to the IowaCare program and
110 6 indigent care. The division makes an appropriation to the
110 7 department of human services from the health care

110 8 transformation account for various health care reform
110 9 initiatives. The division includes a transfer from the
110 10 account for health care transformation to the IowaCare
110 11 account.
110 12 An appropriation is made from the property tax relief fund
110 13 for the medical assistance program in lieu of distribution of
110 14 certain revenues received from utility replacement generation
110 15 tax revenues received as of November 1, 2007.
110 16 If the total amount appropriated from all sources for the
110 17 medical assistance program for FY 2008=2009 exceeds the amount
110 18 needed, the excess reverts to the senior living trust fund.
110 19 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY
110 20 2008=2009. This division provides for distribution of the
110 21 services funding previously appropriated for FY 2008=2009.
110 22 The previously made appropriation is revised and the brain
110 23 injury services program distribution through the department of
110 24 public health is eliminated. Code section 331.439, relating
110 25 to county mental health, mental retardation, and developmental
110 26 disabilities services plans, is amended to allow the
110 27 department of human services to extend for good cause the
110 28 county deadlines for reporting associated with the services.
110 29 The legislative council is requested to create a task force
110 30 to consider county=state shared funding for the mental health
110 31 and disability services covered by the Medicaid program.
110 32 Additionally, the department of human services, division of
110 33 mental health and disability services, is directed to appoint
110 34 a stakeholder committee to work on updating Iowa law and rules
110 35 pertaining to community mental health centers.
111 1 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY
111 2 2009=2010. This division provides the FY 2008=2009 allowed
111 3 growth appropriation for distribution to counties and for the
111 4 brain injury services program in the department of public
111 5 health.
111 6 HEALTH CARE TRUST FUND. This division includes provisions
111 7 relating to health care and makes appropriations from the
111 8 health care trust fund.
111 9 Appropriations are made from the health care trust fund to
111 10 the department of public health for addictive disorders,

111 11 healthy children and families, chronic conditions, and
111 12 community capacity.
111 13 Funds are appropriated from the health care trust fund to
111 14 the department of human services for medical assistance and
111 15 mental health, mental retardation, and developmental
111 16 disability (MH/MR/DD) services allowed growth. Under the
111 17 appropriation for the medical assistance program, funding is
111 18 specifically allocated for a grant to the Iowa healthcare
111 19 collaborative. The appropriation for MH/MR/DD allowed growth
111 20 is to be credited to the property tax relief fund from which
111 21 it is appropriated in another part of the bill.
111 22 APPROPRIATION=RELATED CHANGES. This division provides
111 23 appropriation=related changes and takes effect upon enactment.
111 24 Code section 35D.18, requiring the Iowa veterans home to
111 25 operate with a net general fund appropriation, is amended to
111 26 remove a \$500,000 restriction on the amount of excess funding
111 27 that may be carried forward at the close of a fiscal year.
111 28 A supplemental appropriation is made for FY 2007=2008 from
111 29 the healthy lowans tobacco trust to be credited to the
111 30 juvenile detention home fund.
111 31 An allocation made in 2006 Iowa Acts, chapter 1184, for
111 32 purposes of the decategorization of child welfare and juvenile
111 33 justice funding initiative under Code section 232.188 is
111 34 amended to provide that up to \$3,605,000 from the allocation
111 35 and any other funding designated as carryover funding under
112 1 the initiative that is unencumbered or unobligated at the
112 2 close of fiscal year 2007=2008 will not revert as provided in
112 3 Code section 232.188 but instead will remain to be used for
112 4 the initiative in FY 2008=2009.
112 5 The appropriation made in 2007 Iowa Acts, chapter 176, for
112 6 the Vietnam Conflict veterans bonus fund is amended to provide
112 7 that the appropriation does not revert at the close of FY
112 8 2007=2008 but remains available through the succeeding fiscal
112 9 year.
112 10 The appropriation made in 2007 Iowa Acts, chapter 203, for
112 11 the injured veterans grant program is amended to provide that
112 12 the appropriation does not revert at the close of FY 2007=2008
112 13 but remains available through the succeeding fiscal year.

112 14 The general fund appropriation to the department of elder
112 15 affairs for the livable community initiative in 2007 Iowa
112 16 Acts, chapter 215, is amended to provide the appropriation
112 17 does not revert at the close of FY 2007=2008 but remains
112 18 available to be used for the same purpose in the succeeding
112 19 fiscal year.

112 20 Allocations made in appropriations to the department of
112 21 public health in 2007 Iowa Acts, chapter 218, section 2, for
112 22 patients who have phenylketonuria (PKU) and for management of
112 23 the antiviral stockpile that remain at the close of the fiscal
112 24 year are carried forward to be used for the same purposes in
112 25 the succeeding fiscal year.

112 26 The general fund appropriation made to the department of
112 27 veterans affairs in 2007 Iowa Acts, chapter 218, section 4,
112 28 subsection 1, for departmental administration is amended to
112 29 provide that the appropriation does not revert at the close of
112 30 FY 2007=2008 but remains available through the succeeding
112 31 fiscal year to be used for the veterans cemetery sign and
112 32 other necessary expenses.

112 33 The general fund appropriation made for purposes of the
112 34 county grant program for veterans in 2007 Iowa Acts, chapter
112 35 218, section 4, subsection 4, will remain available to be used
113 1 for the program in the succeeding fiscal year rather than be
113 2 credited to the veterans trust fund.

113 3 A portion of the appropriation of federal temporary
113 4 assistance for needy families (TANF) block grant made in 2007
113 5 Iowa Acts, chapter 218, section 7, to the department of human
113 6 services for the family investment program is shifted to the
113 7 appropriation from the block grant for state child care
113 8 assistance and a portion is then transferred to the federal
113 9 child care and development block grant.

113 10 Of the funds appropriated from the general fund to the
113 11 department of human services for fiscal year 2007=2008 in 2007
113 12 Iowa Acts, chapter 218, section 15, for the state children's
113 13 health insurance program, up to \$441,000 that remains
113 14 available at the close of the fiscal year is to be transferred
113 15 to the appropriation from child care assistance until the
113 16 close of the succeeding fiscal year.

113 17 Existing authority for DHS to transfer funds appropriated
113 18 in 2007 Iowa Acts, chapter 218, section 18, for child and
113 19 family services that would have otherwise been paid under
113 20 another appropriation is expanded to include services that
113 21 would have otherwise been reimbursed under the appropriation
113 22 for child care assistance.

113 23 Of the general fund moneys allocated for the
113 24 decategorization of child welfare funding for fiscal year
113 25 2007=2008 in 2007 Iowa Acts, chapter 218, section 18,
113 26 subsection 5, that if unexpended at the close of the fiscal
113 27 year would otherwise be available for the succeeding fiscal
113 28 year, up to \$6.1 million is transferred to the appropriation
113 29 made for the child care assistance to be used for the state
113 30 child care assistance program for the succeeding fiscal year.

113 31 Of the fiscal year 2007=2008 general fund appropriation to
113 32 DHS in 2007 Iowa Acts, chapter 218, section 18, for child and
113 33 family services remaining unexpended at the close of the
113 34 fiscal year, up to \$3.7 million is transferred to the
113 35 appropriation for child care assistance to be used for the
114 1 state child care assistance program until the close of the
114 2 succeeding fiscal year.

114 3 The requirements for distribution of the moneys
114 4 appropriated to DHS from the juvenile detention home fund in
114 5 2007 Iowa Acts, chapter 218, section 20, are revised to
114 6 increase the amount distributed to such homes and to decrease
114 7 and eliminate other allocations. Any remainder is required to
114 8 be transferred to the appropriation for child and family
114 9 services.

114 10 Of the general fund appropriation made to the department of
114 11 human services for field operations for fiscal year 2007=2008
114 12 in 2007 Iowa Acts, chapter 218, section 28, approximately \$1.1
114 13 million of the amount remaining unexpended at the close of the
114 14 fiscal year may be carried forward to be used in the
114 15 succeeding fiscal year.

114 16 Of the general fund appropriation made to the department of
114 17 human services for general administration for fiscal year
114 18 2007=2008 in 2007 Iowa Acts, chapter 218, section 29, \$1
114 19 million is transferred to the juvenile detention home fund and

114 20 up to \$110,000 of any amount remaining unexpended at the close
114 21 of the fiscal year may be carried forward to be used in the
114 22 succeeding fiscal year.
114 23 This division eliminates a provision in 2007 Iowa Acts,
114 24 chapter 218, section 31, allowing for adjustment of the
114 25 pharmacy dispensing fee to compensate for any reduction in
114 26 drug product cost reimbursement resulting from federal
114 27 legislation.
114 28 Moneys appropriated from the property tax relief fund in
114 29 2007 Iowa Acts, chapter 218, section 83, and transferred to
114 30 DPH for the brain injury program that remain unexpended at the
114 31 close of fiscal year 2007=2008 are to be transferred to the
114 32 appropriation for the Medicaid program to provide home and
114 33 community-based waiver slots until the close of the succeeding
114 34 fiscal year.
114 35 The appropriations made from the IowaCare account in 2007
115 1 Iowa Acts, chapter 218, section 74, are amended to provide a
115 2 new appropriation for administrative costs incurred by the
115 3 publicly owned acute care teaching hospital located in a
115 4 county with a population over 350,000.
115 5 Appropriations made from the health care trust fund to the
115 6 department of public health for fiscal year 2007=2008 in 2007
115 7 Iowa Acts, chapter 218, section 97, for addictive disorders,
115 8 healthy children and families, and chronic conditions, and to
115 9 DHS for the state children's health insurance program in
115 10 section 98, remaining unexpended at the close of the fiscal
115 11 year may be carried forward to be used in the succeeding
115 12 fiscal year.
115 13 The division takes effect upon enactment.
115 14 PRIOR YEAR APPROPRIATION CHANGES WITH CONTINGENT
115 15 APPLICABILITY DATE. This division changes prior year
115 16 appropriations and is retroactively applicable to December 21,
115 17 2007, but is contingent upon federal approval of a Medicaid
115 18 state plan amendment.
115 19 The appropriation made from the general fund of the state
115 20 in 2007 Iowa Acts, chapter 214, for the state psychiatric
115 21 hospital is reduced to zero and is replaced by increasing the
115 22 appropriation made from the general fund of the state for the

115 23 medical assistance program in 2007 Iowa Acts, chapter 218, and
115 24 making an allocation for the psychiatric hospital. The
115 25 medical assistance appropriation is also amended to transfer
115 26 approximately \$4.5 million to the IowaCare account. In
115 27 addition, the appropriation made in 2007 Iowa Acts, chapter
115 28 215, for the salary adjustment fund is amended to reduce the
115 29 appropriation and to reflect that the distribution of salary
115 30 adjustment moneys for the state psychiatric hospital are
115 31 reduced to zero.

115 32 The bill also increases the amount appropriated to the
115 33 state board of regents for the IowaCare program for FY
115 34 2007=2008, and makes distribution of the amount contingent
115 35 upon claims adjudicated and approved for payment.

116 1 CODE CHANGES. This division provides miscellaneous Code
116 2 changes.

116 3 Code section 28.9, relating to the community empowerment
116 4 fund, is amended to change the name of the community
116 5 empowerment gifts and grants account within the fund to the
116 6 first years first account.

116 7 Code section 135.22B, relating to the brain injury services
116 8 program in DPH, is amended to eliminate the component relating
116 9 to persons eligible for the Medicaid home and community-based
116 10 services waiver for persons with brain injury.

116 11 New Code section 135.155 creates the early childhood Iowa
116 12 council, and includes a purpose and vision statement, provides
116 13 that the council membership is open to a representative of any
116 14 organization that touches the lives of young children in the
116 15 state ages zero through five, authorizes the council to adopt
116 16 its own procedures, provides for creation of component groups
116 17 and for a steering committee consisting of the co=chairpersons
116 18 of the component groups and others, provides for a state
116 19 agency team to support the activities of the council, and
116 20 outlines the duties of the council.

116 21 New Code section 135.156 designates the department of
116 22 public health as the lead agency for the support of the
116 23 development and integration of an early childhood system for
116 24 Iowa. The lead agency's duties include working with state
116 25 agencies to enter into memorandums of understanding outlining

116 26 the agencies' responsibilities in the system; working with
116 27 private businesses, foundations, and nonprofit organizations
116 28 in implementing a public=private partnership to develop and
116 29 provide funding for the system; and maintaining an internet
116 30 site for the early childhood Iowa council and its component
116 31 groups.

116 32 Code section 135H.3, relating to the nature of care
116 33 provided in a psychiatric medical institution for children, is
116 34 amended to provide that children requiring treatment for a
116 35 biologically based mental illness and meeting other criteria
117 1 are deemed to meet the acuity criteria for inpatient treatment
117 2 under various health care coverage provisions.

117 3 Code section 217.19, relating to DHS expenses, is amended
117 4 to require the department of administrative services to work
117 5 with DHS in order to develop and implement an expense policy
117 6 for members of boards, commissions, and other bodies so that a
117 7 person with an income below 150 percent of the federal poverty
117 8 level may have expenses paid in lieu of reimbursement.

117 9 Code section 237A.13, relating to the child care assistance
117 10 program, is amended to require DHS, the department of
117 11 management, and the legislative services agency to jointly
117 12 arrive at a consensus projection for program expenditures on
117 13 at least a quarterly basis.

117 14 New Code section 249A.36 relates to behavioral health
117 15 services provided under the medical assistance (Medicaid)
117 16 program.

117 17 New Code section 249A.36 provides that beginning May 1,
117 18 2008, and thereafter, any contract between the department of
117 19 human services and a third party for behavioral health
117 20 services under the Medicaid program shall meet certain
117 21 requirements including: the administrative fee negotiated
117 22 between the third=party administrator and the department for
117 23 the services provided by the third=party administrator shall
117 24 be the entire consideration for all services provided by the
117 25 third=party administrator; funds that are not used to pay for
117 26 behavioral health services and any interest earned on such
117 27 funds shall be remitted to the department within 30 days of
117 28 receipt or generation of such funds; and if certain conditions

117 29 are met, a claim for the services provided shall be prima
117 30 facie evidence for the purpose of any appeal. New Code
117 31 section 249A.36 also directs the department of human services
117 32 to establish a behavioral health care provider appeals panel,
117 33 specifies the membership of the panel, provides that the panel
117 34 shall hear appeals on denials of claims for behavioral health
117 35 services under the Medicaid program, and provides that a
118 1 provider or a third-party administrator may appeal the
118 2 decision of the provider appeals panel to the director of the
118 3 department, whose decision is final agency action that may be
118 4 appealed for judicial review by the district court in
118 5 accordance with Code section 17A.19.
118 6 New Code section 249A.36 requires the department of human
118 7 services to maintain a separate account for all funds
118 8 appropriated, allocated, or otherwise available for payment of
118 9 behavioral health services provided under the Medicaid program
118 10 and specifies the funds to be deposited in the account and the
118 11 use of funds in the account.
118 12 For the purposes of new Code section 249A.36, "behavioral
118 13 health services" means services provided for the treatment of
118 14 mental disorders, emotional disorders, and chemical dependency
118 15 disorders as specified by rule of the department and "mental
118 16 health professional" means as defined in Code chapter 228.
118 17 New Code section 249A.36 takes effect upon enactment and is
118 18 retroactively applicable to May 1, 2008.
118 19 Code section 249J.23 is amended to allow for payment of the
118 20 administrative costs for Broadlawns medical center related to
118 21 IowaCare through the account for health care transformation.
118 22 This section takes effect upon enactment and is retroactively
118 23 applicable to July 1, 2005.
118 24 New Code section 256.35A creates the Iowa autism council in
118 25 the department of education to advise the state in developing
118 26 and implementing a system for services to children with autism
118 27 and to meet the needs of adults with autism.
118 28 Code section 514I.6 is amended to provide that a
118 29 participating insurer under the hawk=i program is prohibited
118 30 from requiring participation by a provider in other health
118 31 insurance products of the participating insurer as a condition

118 32 of participation in the qualified child health plan.
118 33 INDIVIDUAL DEVELOPMENT ACCOUNTS. This division relates to
118 34 individual development accounts authorized for certain
118 35 individuals with low income.
119 1 Under current law in Code chapter 541A, the department of
119 2 human services administers the accounts through operating
119 3 organizations who certify the accounts. Account holder
119 4 deposits may be matched by operating organizations, federal
119 5 individual development account funding, and state savings
119 6 refunds providing a state match for the deposits of account
119 7 holders with family incomes of 200 percent or less of the
119 8 federal poverty level. The state savings refund amount ranges
119 9 from 15=25 percent of account holder deposits, depending on
119 10 income. Interest and earnings on the accounts and the
119 11 deposits made to an account by others is exempt from state
119 12 income tax. Withdrawals from an account must be approved by
119 13 the operating organization for one of the following approved
119 14 purposes: higher education costs, training programs, purchase
119 15 of a primary residence or improvements to such residence,
119 16 capitalization of a small business start=up, or certain
119 17 emergency medical costs.
119 18 The bill makes a number of changes to the requirements for
119 19 individual development accounts. New approved purposes for
119 20 using the accounts are provided authorizing purchase of an
119 21 automobile, purchase of assistive technology to assist an
119 22 account holder or family member with a disability, or for
119 23 other purposes approved in rule. The maximum amount of
119 24 deposits of principal to an account is reduced from \$50,000 to
119 25 \$30,000. Administration of the program is moved from the
119 26 department of human services to the division of community
119 27 action agencies of the department of human rights.
119 28 Requirements for household income determinations and other
119 29 procedures for the accounts are required to be adopted in rule
119 30 by the commission on community action agencies. The division
119 31 of community action agencies is required to utilize a request
119 32 for proposals process for selection of operating organizations
119 33 and approval of financial institutions.
119 34 The division includes a temporary authorization for

119 35 operation of the accounts in accordance with the rules adopted
120 1 by the department of human services until replacement rules
120 2 are adopted. The commission may adopt the replacement rules
120 3 using emergency procedures which forego public comment and
120 4 review by the administrative rules review committee.
120 5 The state savings refund is changed to a state match and is
120 6 increased to 100 percent of account holder deposits. The
120 7 current state match limit of a percentage of account holder
120 8 deposits of up to \$2,000 per calendar year is charged with an
120 9 overall limit of \$2,000. If funding is available the
120 10 commission may authorize implementing refugee accounts with
120 11 withdrawals approved for the special needs of refugee
120 12 families. Code section 422.7, providing for adjustments to
120 13 income for purposes of determining net income under the state
120 14 income tax, is amended to include a reference to state match
120 15 payments in the exemption provision relating to individual
120 16 development accounts. The provisions of the bill referencing
120 17 the state match payment are retroactively applicable to
120 18 January 1, 2008, for the tax year beginning on that date.
120 19 An individual development account state match fund is
120 20 created in new Code section 541A.7 with a standing
120 21 appropriation of any moneys available in the fund to the
120 22 division for payments of state matches. The division of
120 23 community action agencies is authorized to revise the match
120 24 payment provisions as necessary to restrict payments to the
120 25 funding available. A requirement for the program
120 26 administrator to work with the federal government and the
120 27 state's congressional delegation to secure federal tax
120 28 exemption for the accounts and account earnings and to report
120 29 annually is repealed. A portion of any appropriations from
120 30 the fund may be used for administrative costs.
120 31 This division takes effect upon enactment.
120 32 LSB 5002JB 82
120 33 pf/jp/14

Summary Data

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Health and Human Services	\$ 1,196,179,410	\$ 1,176,532,368	\$ 1,207,615,634	\$ 31,083,266	
Grand Total	<u>\$ 1,196,179,410</u>	<u>\$ 1,176,532,368</u>	<u>\$ 1,207,615,634</u>	<u>\$ 31,083,266</u>	

Health and Human Services

General Fund

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Senate Subcom FY 2009 (3)	Senate Sub vs. Est 2008 (4)	Page and Line # (5)
<u>Elder Affairs, Department of</u>					
Elder Affairs, Department of					
Aging Programs	\$ 4,328,306	\$ 4,866,698	\$ 4,851,698	\$ -15,000	PG 1 LN 10
Total Elder Affairs, Department of	\$ 4,328,306	\$ 4,866,698	\$ 4,851,698	\$ -15,000	
<u>Public Health, Department of</u>					
Public Health, Department of					
Addictive Disorders	\$ 2,453,890	\$ 2,002,149	\$ 1,532,149	\$ -470,000	PG 2 LN 29
Healthy Children and Families	2,369,438	2,536,913	2,536,913	0	PG 3 LN 4
Chronic Conditions	1,742,840	1,842,840	2,242,840	400,000	PG 4 LN 1
Community Capacity	1,758,147	1,760,532	1,760,532	0	PG 4 LN 18
Elderly Wellness	9,233,985	9,233,985	9,233,985	0	PG 5 LN 6
Environmental Hazards	626,960	747,960	747,960	0	PG 5 LN 10
Infectious Diseases	1,279,963	1,658,286	1,701,974	43,688	PG 5 LN 22
Public Protection	8,232,581	2,845,658	2,798,513	-47,145	PG 5 LN 31
Resource Management	1,045,407	1,205,933	1,205,933	0	PG 6 LN 24
211 Call Centers	0	200,000	0	-200,000	
Total Public Health, Department of	\$ 28,743,211	\$ 24,034,256	\$ 23,760,799	\$ -273,457	
<u>Human Services, Department of</u>					
Human Services - General Administration					
General Administration	\$ 15,099,888	\$ 16,782,706	\$ 16,782,067	\$ -639	PG 44 LN 11
Human Services - Field Operations					
Child Support Recoveries	\$ 8,502,360	\$ 10,469,844	\$ 14,951,757	\$ 4,481,913	PG 18 LN 26
Field Operations	60,165,029	66,555,087	66,852,732	297,645	PG 43 LN 34
Total Human Services - Field Operations	\$ 68,667,389	\$ 77,024,931	\$ 81,804,489	\$ 4,779,558	
Human Services - Toledo Juvenile Home					
Toledo Juvenile Home	\$ 6,927,794	\$ 7,579,484	\$ 7,579,484	\$ 0	PG 29 LN 26
Human Services - Eldora Training School					
Eldora Training School	\$ 10,954,842	\$ 11,948,327	\$ 11,948,327	\$ 0	PG 29 LN 31
Human Services - Cherokee CCUSO					
Civil Commit. Unit for Sex Offenders	\$ 4,971,523	\$ 6,523,524	\$ 6,492,008	\$ -31,516	PG 43 LN 11

Health and Human Services

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Human Services - Cherokee					
Cherokee MHI	\$ 5,273,361	\$ 5,727,743	\$ 5,727,743	\$ 0	PG 38 LN 19
Human Services - Clarinda					
Clarinda MHI	\$ 6,409,501	\$ 7,023,073	\$ 7,023,073	\$ 0	PG 38 LN 25
Human Services - Independence					
Independence MHI	\$ 9,358,177	\$ 10,489,724	\$ 10,495,879	\$ 6,155	PG 38 LN 31
Human Services - Mt Pleasant					
Mt Pleasant MHI	\$ 1,228,549	\$ 1,877,099	\$ 1,874,721	\$ -2,378	PG 39 LN 2
Human Services - Glenwood					
Glenwood Resource Center	\$ 15,641,388	\$ 19,002,377	\$ 17,102,330	\$ -1,900,047	PG 39 LN 14
Human Services - Woodward					
Woodward Resource Center	\$ 10,109,976	\$ 13,038,833	\$ 11,266,164	\$ -1,772,669	PG 39 LN 17
Human Services - Assistance					
Family Investment Program/JOBS	\$ 42,608,263	\$ 42,675,127	\$ 42,675,127	\$ 0	PG 16 LN 24
Medical Assistance	664,311,610	616,771,820	646,745,853	29,974,033	PG 19 LN 21
Health Insurance Premium Payment	654,568	673,598	566,338	-107,260	PG 24 LN 30
Medical Contracts	14,417,985	13,790,558	14,546,616	756,058	PG 25 LN 7
State Children's Health Insurance (hawk-i)	19,703,715	14,871,052	15,158,637	287,585	PG 26 LN 20
State Supplementary Assistance	18,710,335	17,210,335	18,310,335	1,100,000	PG 25 LN 23
Child Care Assistance	21,801,198	37,875,701	39,298,895	1,423,194	PG 27 LN 26
Child and Family Services	80,945,373	88,520,320	88,546,565	26,245	PG 30 LN 6
Adoption Subsidy	31,446,063	31,972,681	32,568,872	596,191	PG 36 LN 16
Family Support Subsidy	1,936,434	1,936,434	1,936,434	0	PG 37 LN 24
Connors Training	42,623	42,623	42,623	0	PG 38 LN 3
MI/MR/DD State Cases	12,286,619	11,067,178	13,067,178	2,000,000	PG 40 LN 19
MH/DD Community Services	18,017,890	18,017,890	18,017,890	0	PG 41 LN 11
MH/DD Growth Factor	38,888,041	36,888,041	54,081,310	17,193,269	PG 62 LN 13
Volunteers	109,568	109,568	109,568	0	PG 44 LN 34
Medical Assistance Nursing Facility Reimb.	10,400,000	0	0	0	
County Suppl. MH/DD Growth	0	12,000,000	0	-12,000,000	
County Specific Allowed Growth-GF	52,265	0	0	0	
Family Planning	0	0	750,000	750,000	PG 45 LN 6
Total Human Services - Assistance	\$ 976,332,550	\$ 944,422,926	\$ 986,422,241	\$ 41,999,315	
Total Human Services, Department of	\$ 1,130,974,938	\$ 1,121,440,747	\$ 1,164,518,526	\$ 43,077,779	

Health and Human Services

General Fund

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Regents, Board of</u>					
Regents, Board of					
University of Iowa - Psychiatric Hospital	\$ 7,043,056	\$ 7,321,954	\$ 0	\$ -7,321,954	
Total Regents, Board of	<u>\$ 7,043,056</u>	<u>\$ 7,321,954</u>	<u>\$ 0</u>	<u>\$ -7,321,954</u>	
<u>Veterans Affairs, Department of</u>					
Veterans Affairs, Department of					
General Administration	\$ 532,651	\$ 863,457	\$ 1,163,457	\$ 300,000	PG 8 LN 5
Iowa Veterans Home	15,030,248	16,728,256	12,694,154	-4,034,102	PG 8 LN 15
Veterans Trust Fund	4,500,000	500,000	0	-500,000	
Veterans County Grants	1,000,000	750,000	600,000	-150,000	PG 8 LN 29
War Orphans Educational Assistance	27,000	27,000	27,000	0	PG 9 LN 13
Injured Veterans Grant Program	2,000,000	0	0	0	
Home Ownership Assist. Prog.	2,000,000	0	0	0	
Total Veterans Affairs, Department of	<u>\$ 25,089,899</u>	<u>\$ 18,868,713</u>	<u>\$ 14,484,611</u>	<u>\$ -4,384,102</u>	
Total Health and Human Services	<u><u>\$ 1,196,179,410</u></u>	<u><u>\$ 1,176,532,368</u></u>	<u><u>\$ 1,207,615,634</u></u>	<u><u>\$ 31,083,266</u></u>	

Summary Data

Other Funds

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Health and Human Services	\$ 331,658,782	\$ 464,558,446	\$ 474,679,289	\$ 10,120,843	
Grand Total	<u><u>\$ 331,658,782</u></u>	<u><u>\$ 464,558,446</u></u>	<u><u>\$ 474,679,289</u></u>	<u><u>\$ 10,120,843</u></u>	

Health and Human Services

Other Funds

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Elder Affairs, Department of</u>					
Elder Affairs, Department of					
Elder Affairs Operations-SLTF	\$ 8,324,044	\$ 8,442,707	\$ 8,442,707	\$ 0	PG 54 LN 13
Total Elder Affairs, Department of	\$ 8,324,044	\$ 8,442,707	\$ 8,442,707	\$ 0	
<u>Public Health, Department of</u>					
Public Health, Department of					
Ad. Dis.-Substance Abuse Treatment-GTF	\$ 1,690,000	\$ 2,215,000	\$ 4,678,000	\$ 2,463,000	PG 7 LN 10
Ad. Dis.-Gambling Treatment Program-GTF	5,856,571	5,255,285	2,417,398	-2,837,887	PG 7 LN 22
Addictive Disorders-HCTF	0	6,993,754	2,955,164	-4,038,590	PG 69 LN 11
Healthy Children and Families-HCTF	0	687,500	667,700	-19,800	PG 70 LN 21
Chronic Conditions-HCTF	0	1,188,981	1,164,181	-24,800	PG 71 LN 18
Community Capacity-HCTF	0	2,790,000	2,790,000	0	PG 72 LN 1
Total Public Health, Department of	\$ 7,546,571	\$ 19,130,520	\$ 14,672,443	\$ -4,458,077	
<u>Human Services, Department of</u>					
Human Services - General Administration					
FIP-TANF	\$ 33,395,225	\$ 36,890,944	\$ 26,101,513	\$ -10,789,431	PG 9 LN 32
Promise Jobs-TANF	15,691,865	14,993,040	13,334,528	-1,658,512	PG 10 LN 1
FaDDS-TANF	2,698,675	2,998,675	2,998,675	0	PG 10 LN 16
Field Operations-TANF	17,707,495	17,707,495	17,707,495	0	PG 10 LN 20
General Administration-TANF	3,744,000	3,744,000	3,744,000	0	PG 10 LN 34
Local Admin. Cost-TANF	2,189,830	2,189,830	2,189,830	0	PG 11 LN 1
State Day Care-TANF	15,756,560	18,986,177	18,986,177	0	PG 11 LN 18
MH/DD Comm. Services-TANF	4,894,052	4,894,052	4,894,052	0	PG 11 LN 27
Child & Family Services-TANF	32,084,430	32,084,430	32,084,430	0	PG 11 LN 30
Child Abuse Prevention-TANF	250,000	250,000	250,000	0	PG 11 LN 32
Training & Technology-TANF	1,037,186	1,037,186	1,037,186	0	PG 12 LN 17
HOPES - Transfer to DPH-TANF	200,000	200,000	200,000	0	PG 12 LN 21
0-5 Children-TANF	7,350,000	7,350,000	7,350,000	0	PG 12 LN 25
Child Support Recovery-TANF	200,000	200,000	200,000	0	PG 13 LN 1
Child Care Direct Assistance-TANF	0	0	8,900,000	8,900,000	PG 11 LN 3
Total Human Services - General Administration	\$ 137,199,318	\$ 143,525,829	\$ 139,977,886	\$ -3,547,943	

Health and Human Services

Other Funds

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Human Services - Assistance					
Pregnancy Prevention-TANF	\$ 1,930,067	\$ 1,930,067	\$ 1,930,067	\$ 0	PG 11 LN 34
Medical Supplemental-SLTF	65,000,000	65,000,000	67,500,000	2,500,000	PG 55 LN 29
Medical Contracts-Pharmaceutical Settle.	379,000	1,323,833	942,767	-381,066	PG 56 LN 18
Broadlawns Hospital-ICA	40,000,000	40,000,000	40,000,000	0	PG 58 LN 21
State Hospital-Cherokee-ICA	9,098,425	9,098,425	3,164,766	-5,933,659	PG 59 LN 9
State Hospital-Clarinda-ICA	1,977,305	1,977,305	687,779	-1,289,526	PG 59 LN 14
State Hospital-Independence-ICA	9,045,894	9,045,894	3,146,494	-5,899,400	PG 59 LN 19
State Hospital-Mt Pleasant-ICA	5,752,587	5,752,587	2,000,961	-3,751,626	PG 59 LN 24
Medical Examinations-HCTA	556,800	556,800	556,800	0	PG 60 LN 1
Medical Information Hotline-HCTA	150,000	150,000	150,000	0	PG 60 LN 5
Insurance Cost Subsidy-HCTA	1,500,000	0	0	0	
Health Care Premium Impl.-HCTA	400,000	0	0	0	
Electronic Medical Records-HCTA	2,000,000	0	0	0	
Health Partnership Activities-HCTA	550,000	550,000	900,000	350,000	PG 60 LN 8
Audits, Perf. Eval., Studies-HCTA	100,000	400,000	400,000	0	PG 60 LN 11
IowaCare Admin. Costs-HCTA	930,352	930,352	1,132,412	202,060	PG 60 LN 14
Acuity Based ICF-MR Case Mix-HCTA	150,000	0	0	0	
Provider Incentive Pmt Prog.-HCTA	50,000	0	0	0	
Dental Home for Children-HCTA	0	1,186,475	500,000	-686,475	PG 60 LN 16
Mental Health Trans. Pilot-HCTA	0	250,000	250,000	0	PG 60 LN 20
MH/DD Workforce Development - HCTA	0	0	1,050,000	1,050,000	PG 60 LN 22
Children's Health Insurance-HCTF	0	8,329,570	0	-8,329,570	
Medical Assistance-HCTF	0	99,518,096	113,690,856	14,172,760	PG 74 LN 19
MH/MR/DD Growth-HCTF	0	7,592,099	7,592,099	0	PG 74 LN 24
County Specific Allowed Growth-PTRF	243,084	0	0	0	
Medical Assistance - PTRF	0	0	624,000	624,000	PG 61 LN 12
IowaCare Broadlawns Admin-HCTA	0	0	230,000	230,000	PG 84 LN 35
Total Human Services - Assistance	\$ 139,813,514	\$ 253,591,503	\$ 246,449,001	\$ -7,142,502	
Total Human Services, Department of	\$ 277,012,832	\$ 397,117,332	\$ 386,426,887	\$ -10,690,445	
Regents, Board of					
Regents, Board of					
BOR UIHC - IowaCare Expansion Population	\$ 10,000,000	\$ 10,000,000	\$ 35,969,365	\$ 25,969,365	PG 57 LN 34
BOR UIHC - IowaCare	27,284,584	27,284,584	27,284,584	0	PG 56 LN 34
Total Regents, Board of	\$ 37,284,584	\$ 37,284,584	\$ 63,253,949	\$ 25,969,365	

Health and Human Services

Other Funds

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Veterans Affairs, Department of</u>					
<u>Veterans Affairs, Department of</u>					
Vets Home Ownership Prog.-VTF	\$ 0	\$ 200,000	\$ 0	\$ -200,000	
Vietnam Veterans Bonus-VTF	0	500,000	0	-500,000	
Total Veterans Affairs, Department of	\$ 0	\$ 700,000	\$ 0	\$ -700,000	
<u>Iowa Finance Authority</u>					
<u>Iowa Finance Authority</u>					
Rent Subsidy Program-SLTF	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	PG 56 LN 2
Total Iowa Finance Authority	\$ 700,000	\$ 700,000	\$ 700,000	\$ 0	
<u>Inspections & Appeals, Department of</u>					
<u>Inspections and Appeals, Department of</u>					
Assisted Living/Adult Day Care-SLTF	\$ 790,751	\$ 1,183,303	\$ 1,183,303	\$ 0	PG 55 LN 13
Total Inspections & Appeals, Department of	\$ 790,751	\$ 1,183,303	\$ 1,183,303	\$ 0	
Total Health and Human Services	\$ 331,658,782	\$ 464,558,446	\$ 474,679,289	\$ 10,120,843	

Summary Data

FTE

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Health and Human Services	6,481.27	6,972.08	7,108.60	136.52	
Grand Total	<u>6,481.27</u>	<u>6,972.08</u>	<u>7,108.60</u>	<u>136.52</u>	

Health and Human Services

FTE

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
<u>Elder Affairs, Department of</u>					
Elder Affairs, Department of					
Aging Programs	32.11	37.50	40.50	3.00	PG 1 LN 10
Total Elder Affairs, Department of	32.11	37.50	40.50	3.00	
<u>Public Health, Department of</u>					
Public Health, Department of					
Addictive Disorders	4.36	4.35	6.00	1.65	PG 2 LN 29
Healthy Children and Families	9.15	12.95	16.00	3.05	PG 3 LN 4
Chronic Conditions	2.74	4.30	5.00	0.70	PG 4 LN 1
Community Capacity	9.49	10.75	12.00	1.25	PG 4 LN 18
Environmental Hazards	0.68	1.75	2.00	0.25	PG 5 LN 10
Infectious Diseases	4.61	5.75	7.00	1.25	PG 5 LN 22
Public Protection	117.16	125.90	128.00	2.10	PG 5 LN 31
Resource Management	3.71	9.00	10.00	1.00	PG 6 LN 24
Addictive Disorders-HCTF	0.00	4.00	5.00	1.00	PG 69 LN 11
Healthy Children and Families-HCTF	0.00	0.50	1.00	0.50	PG 70 LN 21
Chronic Conditions-HCTF	0.00	1.00	1.00	0.00	PG 71 LN 18
Community Capacity-HCTF	0.00	2.00	6.00	4.00	PG 72 LN 1
Total Public Health, Department of	151.90	182.25	199.00	16.75	
<u>Human Services, Department of</u>					
Human Services - General Administration					
General Administration	282.03	353.00	407.50	54.50	PG 44 LN 11
Human Services - Field Operations					
Child Support Recoveries	464.90	519.00	515.00	-4.00	PG 18 LN 26
Field Operations	1,919.76	2,046.71	2,130.68	83.97	PG 43 LN 34
Total Human Services - Field Operations	2,384.66	2,565.71	2,645.68	79.97	
Human Services - Toledo Juvenile Home					
Toledo Juvenile Home	116.42	126.00	126.00	0.00	PG 29 LN 26
Human Services - Eldora Training School					
Eldora Training School	189.69	201.95	202.70	0.75	PG 29 LN 31

Health and Human Services

FTE

	Actual FY 2007	Estimated FY 2008	Senate Subcom FY 2009	Senate Sub vs. Est 2008	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Human Services - Cherokee CCUSO					
Civil Commit. Unit for Sex Offenders	74.37	95.15	94.50	-0.65	PG 43 LN 11
Human Services - Cherokee					
Cherokee MHI	207.04	214.50	210.00	-4.50	PG 38 LN 19
Human Services - Clarinda					
Clarinda MHI	103.64	109.95	109.95	0.00	PG 38 LN 25
Human Services - Independence					
Independence MHI	283.25	287.66	287.66	0.00	PG 38 LN 31
Human Services - Mt Pleasant					
Mt Pleasant MHI	101.22	116.44	116.44	0.00	PG 39 LN 2
Human Services - Glenwood					
Glenwood Resource Center	904.34	938.88	938.88	0.00	PG 39 LN 14
Human Services - Woodward					
Woodward Resource Center	712.69	733.64	733.64	0.00	PG 39 LN 17
Human Services - Assistance					
Family Investment Program/JOBS	15.33	16.50	0.00	-16.50	PG 16 LN 24
Health Insurance Premium Payment	16.76	21.00	21.00	0.00	PG 24 LN 30
Medical Contracts	7.47	6.00	6.00	0.00	PG 25 LN 7
Total Human Services - Assistance	<u>39.55</u>	<u>43.50</u>	<u>27.00</u>	<u>-16.50</u>	
Total Human Services, Department of	<u>5,398.90</u>	<u>5,786.38</u>	<u>5,899.95</u>	<u>113.57</u>	
<u>Veterans Affairs, Department of</u>					
Veterans Affairs, Department of					
General Administration	5.08	14.00	17.20	3.20	PG 8 LN 5
Iowa Veterans Home	893.27	951.95	951.95	0.00	PG 8 LN 15
Total Veterans Affairs, Department of	<u>898.35</u>	<u>965.95</u>	<u>969.15</u>	<u>3.20</u>	
Total Health and Human Services	<u>6,481.27</u>	<u>6,972.08</u>	<u>7,108.60</u>	<u>136.52</u>	